

Exhibit 15

**UNITED STATES DISTRICT COURT
SOUTHERN DISTICT OF NEW YORK**

NIKE, INC.,

Plaintiff,

v.

STOCKX LLC,

Defendant.

Case No.: 1:22-CV-000983-VEC

EXPERT REBUTTAL REPORT OF SARAH BUTLER

EXPERT REBUTTAL REPORT OF SARAH BUTLER

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I. QUALIFICATIONS

1. I am a Senior Managing Director at NERA, where I am the Chair of the Survey and Sampling Practice and a member of the Intellectual Property, Product Liability, Antitrust, and Labor Practices. My business address is 4 Embarcadero Center, San Francisco, CA 94111. NERA is a firm providing expert statistical, survey, economic, and financial research analysis.

2. Among my responsibilities, I conduct survey research and market research and design and implement statistical samples for matters involving business and consumer decision-making, consumer choice, and consumer behavior. In the course of my career, I have conducted research for leading corporations and government agencies on consumers, employees, and businesses. My work has been included in numerous lawsuits involving issues related to trademark and trade dress confusion, secondary meaning, false advertising, and patent infringement, as well as in antitrust and employment-related litigations. I am a member of the American Association of Public Opinion Research, the American Statistical Association, the Intellectual Property Section of the American Bar Association, and the International Trademark Association (INTA).

3. I have also worked as a market researcher conducting surveys of consumers and professionals, focus groups, and in-depth interviews. I worked as an independent consultant conducting research for the Department of Environment and Rural Affairs in the United Kingdom. I have taught courses focused on or involving research methodologies in both the United States and Europe. I hold a Master's Degree from Trinity College, Dublin and another Master's Degree from Temple University.

4. I have substantial experience conducting and using surveys to measure consumer opinions and behaviors regarding products and services including purchase processes, product attributes, branding awareness and strength, new product research, and communications strategies.

During my career in academic and commercial research, I have personally facilitated a wide range of research including large-scale surveys, in-depth interviews, focus groups, and observational studies.

5. I have submitted expert reports, been deposed, and have testified at trial within the last five years. A list of my testimony is included on my current resume, which is attached as **Exhibit A**.

6. NERA is being compensated for my services in this matter at my standard rate of \$775 per hour. Members of the staff at NERA have worked at my direction to assist me in this engagement. No part of my compensation or NERA's compensation depends on the outcome of this litigation. Throughout this report, I have used the terms "I" and "my" to refer to work performed by me and/or others under my direction.

II. DOCUMENTS REVIEWED

7. As part of my work, I reviewed the *First Amended Complaint* in this matter,¹ the Expert Report of John L. Hansen served on May 5, 2023,² the First Amended Expert Report of John L. Hansen served on May 30, 2023,³ and other materials. A list of the specific materials I reviewed and relied upon can be found in **Exhibit B**.

¹ First Amended Complaint, *NIKE, INC., v. STOCKX, LLC*, United States District Court for the Southern District of New York, Case No. 1:22-cv-000983-VEC, dated May 25, 2022 (hereinafter, "*Amended Complaint*").

² Expert Report of John L. Hansen, dated May 5, 2023 (hereinafter, "*Hansen Report*").

³ First Amended Expert Report of John L. Hansen, dated May 30, 2023 (hereinafter, "*Am. Hansen Report*").

III. ASSIGNMENT AND SUMMARY OF OPINIONS

8. I understand that Mr. Hansen, an expert for Nike, has asserted that revenue and/or profits from all trades of Nike and Jordan-branded sneakers on StockX’s platform that involved at least one U.S. individual is attributable to the allegedly false representations made by StockX. As he asserts, “[a]ssuming that StockX’s advertising claims about its authentication were false, and StockX authenticated and facilitated the sale of counterfeit Nike/Jordan-branded sneakers, my analysis indicates that StockX has benefitted by earning ill-gotten profits derived from falsely and/or misleadingly claiming that every ‘Nike’ and ‘Jordan’ brand good sold on its platform was ‘100% Authentic.’”⁴

9. To inform a response to Mr. Hansen’s report,⁵ I was asked by counsel for Defendant, StockX LLC (hereinafter “StockX”), to determine the extent to which, if at all, allegedly false statements related to the authentication and verification process (hereafter, “Authentication Statements”)^{6,7} found on StockX’s website during the relevant time period influence consumers’ decisions to use the site to purchase sneakers.

10. To evaluate the potential impact of the Authentication Statements on consumer behavior, I designed a survey. My survey compared the strength of purchase interest for consumers shown StockX’s webpages containing the Authentication Statements (Test Group) to the purchase interest for consumers shown the same pages without the Authentication Statements (Control Group). My research design allows me to determine the degree to which, if at all, consumers are

⁴ *Hansen Report*, ¶ 14; *Am. Hansen Report*, ¶ 16.

⁵ I understand that Robert Vigil is responding directly to Mr. Hansen’s damages analysis.

⁶ I understand from counsel that Nike has in discovery identified certain advertising claims that it claims were false. *See*, Nike Interrogatory Response #22. My survey tests all of those claims found on StockX’s website, where products can be purchased. The specific Advertising Statements tested in my survey are outlined in detail in **Figure 11** below.

⁷ I was instructed by counsel to rely on Nike’s response to Interrogatory Response #22, which I understand from counsel is the lone Interrogatory response relevant to the identification of advertising claims Nike alleges to be false.

influenced by the Authentication Statements to purchase Nike sneakers through the StockX website, holding all other elements constant.⁸ I surveyed a total of 409 respondents who have purchased a pair of sneakers on StockX's website since 2020⁹ or would consider doing so in the next year. Based on these data, I conclude the following:

- The Authentication Statements do not influence respondents' purchase interest. A statistically equivalent number of respondents indicated that they are likely to purchase a pair of sneakers from StockX when the pages included statements related to "authentication" (Test Group) as compared to pages describing "inspection" (Control Group).
- When asked to explain their purchase interest, respondents provided a variety of reasons. Respondents referenced the organization and/or layout of the website, the variety of products offered, price, past experience with StockX, and perceived product quality.
- Respondents in the Control Group (shown pages *without* the Authentication Statements) were statistically as likely as those in the Test Group (shown pages *with* Authentication Statements) to indicate that they would purchase a pair of sneakers from StockX because the site was trustworthy or the products being sold were real. A total of 22.3 percent of respondents in the Test Group noted that the site was trustworthy, offered authentic products, or provided a guarantee. In the Control Group, a total of 20.7 percent

⁸ Holding all other elements constant in the Control Group allows me to account for other factors influencing respondents' answers such as the price of the goods shown, the variety of products offered or sources of survey "noise," such as demand effects, respondent inattention, or guessing.

⁹ I understand from counsel that the agreed-upon relevant time period for discovery and potential damages in this action is January 1, 2020 through September 30, 2022.

of respondents noted that the site was trustworthy, offered authentic or “inspected” products, or provided a guarantee.¹⁰

11. The remainder of this report includes a brief summary of my understanding of this matter and provides a detailed description of my survey methodology and results.

IV. BACKGROUND

12. Nike is a corporation organized under the laws of the State of Oregon with a principal place of business at One Bowerman Drive, Beaverton, Oregon 97005.¹¹ Nike is involved in the design, development, marketing, and selling of athletic footwear, apparel, equipment, accessories, and services.¹²

13. StockX LLC is an LLC organized under the law of the State of Michigan with its principal place of business located at 1046 Woodward Avenue, Detroit, Michigan 48226. StockX is an online marketplace that primarily facilitates third-party trading of sneakers, apparel, luxury handbags, electronics, and other collectibles sold on its website (<https://stockx.com>) and through its mobile application (StockX App).¹³ However, I understand that every product sold on StockX is shipped from the seller to StockX where it undergoes a manual inspection, verification, and quality control process before being shipped to the buyer.¹⁴ StockX verifies that the product is brand new and has never been worn and meets other standards established by StockX.¹⁵

¹⁰ The Control Group includes four respondents who referenced only “inspection” statements. If I remove these respondents, the rate is 18.7 percent.

¹¹ *Amended Complaint*, ¶ 16.

¹² *Amended Complaint*, ¶ 28.

¹³ *Amended Complaint*, ¶¶ 3, 17-18, 48. I understand from counsel that, with very limited exceptions such as the Vault NFTs released in 2022, StockX does not, itself, engage in the sale of products but rather provides a platform for consumers to trade with each other.

¹⁴ <https://www.nytimes.com/2018/07/06/business/smallbusiness/stockx-sneakerheads-luxury-goods.html>, last accessed June 1, 2023; <https://stockx.com/about/verification/>, last accessed June 1, 2023.

¹⁵ <https://stockx.com/about/verification/>, last accessed June 1, 2023.

14. On May 25, 2022, Nike filed an *Amended Complaint* alleging, in part, that sneakers sold on StockX’s platform were counterfeit.¹⁶ Nike also asserted that StockX falsely advertises that it guarantees the products sold on its site are “100% Verified Authentic.”¹⁷ In addition to the “100% Verified Authentic” statement, Nike similarly claimed that statements such as: “Verified Authentic,” “Guaranteed Authenticity,” “StockX has a 99.96% authentication accuracy rate,” and others are false and misleading.¹⁸ Nike has further claimed that the Authentication Statements are material to consumers and asserts that these “claims are likely to influence consumer purchasing decisions.”¹⁹

15. Nike subsequently submitted an expert report from John L. Hansen, who was retained to “assess disgorgement of StockX’s profits related to the false advertising claims.”²⁰ Mr. Hansen’s report assumes that StockX’s advertising claims about its authentication were false and directly harmed Nike,²¹ and concludes that all revenues StockX earned from the sale of Nike or Jordan branded goods sold on its platform should therefore be subject to potential disgorgement in damages to Nike.²² As part of his analysis, Mr. Hansen did not undertake any consumer perception study to assess whether or to what extent consumer purchasing decisions were affected by the allegedly false claims and, I understand from counsel, that no other Nike expert submitted such a study. Therefore, to evaluate what impact (if any) these Authentication Statements would have on

¹⁶ *Amended Complaint*, ¶¶ 12, 107.

¹⁷ *Amended Complaint*, ¶ 172.

¹⁸ Nike Interrogatory Response #22.

¹⁹ *Amended Complaint*, ¶ 111.

²⁰ *Hansen Report*, ¶ 5; *Am. Hansen Report*, ¶ 7.

²¹ *Hansen Report*, ¶¶ 48, 53; *Am. Hansen Report*, ¶¶ 50, 55.

²² *Hansen Report*, ¶¶ 53-54, 60; *Am. Hansen Report*, ¶¶ 55-56, 62.

consumers' interest in purchasing sneakers on StockX's marketplace, I designed and conducted a survey.

V. SURVEY METHODOLOGY

16. The design of my research follows the generally accepted principles for a survey used as evidence in litigation.²³ In general, the design of a reliable survey requires careful attention to the following key areas:

- The definition of the relevant population;
- The procedures for sampling from the relevant population;
- The survey questions used;
- The stimuli shown to respondents; and
- The protocol for calculating the results from the survey.²⁴

17. The discussion of the survey I conducted is organized around each of these key areas.

A. Survey Population

18. The relevant population for this matter is U.S. consumers, 18 years of age or older, who have purchased a pair of sneakers from StockX since 2020 or who are likely to do so in the next year.

²³ Diamond, S. S. (2011). "Reference Guide on Survey Research," *Reference Manual on Scientific Evidence*, Committee on the Development of the Third Edition of the Reference Manual on Scientific Evidence; Federal Judicial Center; National Research Council (hereinafter, "*Diamond*"), pp. 359-423.

²⁴ The Federal Judicial Center's (2004) *Manual for Complex Litigation, Fourth Edition* §11.493, p. 103 phrases these key areas as:

- the population was properly chosen and defined;
- the sample chosen was representative of that population;
- the data gathered were accurately reported; and
- the data were analyzed in accordance with accepted statistical principles.

B. Sampling of the Relevant Population

19. Potential survey respondents were contacted by Dynata, an online panel and data collection services company. Dynata complies with the standards for online survey data panels set forth by the Insights Association.^{25,26} Dynata has a series of quality control measures to ensure it recruits high-quality participants for their studies; these include digital fingerprinting to prevent individual respondents from taking the survey multiple times, as well as verification procedures to ensure respondents are authentic.²⁷

20. The data for my survey were collected between May 18, 2023 and May 26, 2023. Potential respondents were unaware of the purpose or topic of the survey and needed to meet the screening criteria outlined below to qualify for the survey. A total of 11,489 potential respondents began the survey and, of these, 409 qualified for and completed the survey.²⁸ The complete questionnaire is provided in **Exhibit D**, and screenshots of the survey as it appeared to respondents are included as **Exhibit E**.

C. Quality Control Measures for the Survey

21. To ensure that my data are of the highest quality, I implemented quality control measures in addition to those undertaken by Dynata:

²⁵ Additional information about Dynata is available on their website at <https://www.dynata.com/about-us/>, last accessed May 30, 2023.

²⁶ The Insights Association is an organization representing the industry and profession of market research and analytics (<https://www.insightsassociation.org/About-Us>, last accessed May 30, 2023).

²⁷ The verification procedures pertain to items such as the automated “bot” detection processes and entered state and zip code matching.

²⁸ The invitation for the survey is included in **Exhibit C**.

- a. As is standard survey practice for litigation, the survey was conducted in a “double-blind” fashion; that is, neither the staff at Dynata nor any of the respondents were aware of the survey sponsor or the ultimate intention of the survey.²⁹
- b. Respondents were able to take the survey either on a desktop, laptop, or tablet computer, or on their mobile phone or cell phone. The survey program was tested separately on both a computer and mobile phone or cell phone in order to ensure that the survey questions appeared correctly on the different device types.
- c. Respondents had to correctly answer a Google reCAPTCHA question to ensure that a person, and not a computer or “bot,” was taking the survey.³⁰
- d. Respondents had to indicate that they were at least 18 years of age, and that they currently live in the United States.
- e. Respondents were also required to enter their state of residence and zip code, and if these data conflicted with one another, the respondent was excluded.
- f. Respondents who indicated that they did not understand or were unwilling to adhere to the survey instructions were screened out of the survey.
- g. I also included an attention check question to ensure that respondents were reading each question carefully. Respondents who failed the attention check were screened out of the survey.
- h. At the end of the survey, I identified respondents who had previously completed a survey about sneakers or online shopping in the past month or who work for, or have a household member who works for, a market research or advertising

²⁹ *Diamond*, pp. 410-411.

³⁰ “reCAPTCHA uses an advanced risk analysis engine and adaptive challenges to keep malicious software from engaging in abusive activities.” <https://www.google.com/recaptcha/about/>, last accessed May 30, 2023.

company, a company that makes or manufactures shoes, or an online retailer.

Respondents were also identified if they indicated they did not know or were unsure to either question.³¹

- i. The survey was tested, and the initial results were reviewed to ensure that there were no errors in the programming and that respondents were able to understand and answer the questions as asked.

D. Screening Questionnaire

22. To ensure that respondents were part of the relevant population as defined for this matter, I asked a series of screening questions. Only respondents who met these qualifying conditions continued with the main survey. To qualify for the survey, respondents needed to currently reside in the United States and be 18 years old or older. Respondents also had to indicate that they have purchased a pair of sneakers from a third-party online marketplace (e.g., eBay or GOAT) since 2020, or are likely to do so within the next year. Respondents also had to specifically indicate that they had or would consider purchasing a pair of sneakers from stockx.com.

E. Main Questionnaire

23. In the main portion of the questionnaire, all qualified respondents were first provided with the following instructions across two screens:

Thank you for participating in today's survey. If you do not know or do not have an opinion about any of the questions, please select "Don't know / unsure." Please do not guess. Click ">" to proceed.

Please imagine you are shopping for a pair of sneakers. We are going to show you a series of webpages in this survey that you might encounter when shopping for sneakers. After reviewing the webpages, you will be asked some questions. Please note that there will be a delay on each page to ensure that the webpages load properly.

³¹ I also analyzed the data with and without these flagged respondents (n = 104) to ensure there was no impact. My conclusions do not change with the inclusion of these respondents (see **Exhibit H**).

24. Respondents were then randomly assigned to either the Test Group (shown a series of StockX.com webpages containing the Authentication Statements) or the Control Group (shown the same webpages, with all Authentication Statements removed or altered).³²

25. Respondents were then shown five webpages: 1) the StockX homepage, 2) the StockX “How it Works” page, 3) the StockX “Process” page, 4) the StockX “Sneakers” page, and 5) the StockX “product description page” for Nike Dunk Low sneakers. The selected pages (1) represent the types of pages consumers might interact with when using StockX to purchase Nike sneakers (i.e., the home page, a list of products, and a specific product page), (2) include detailed information about StockX and how it works (which I understand to be relevant to the litigation), and, (3) include a version of every Authentication Statement that Nike has identified as allegedly false in their response to Interrogatory No. 22 that also appeared on the StockX website and app, where consumers can actually purchase shoes. Each webpage was presented on a separate screen, with the instruction, “Please select the “>” button at the bottom of the screen when you are ready to proceed.”³³

26. After showing the five webpages, and confirming that they could see the pages clearly,³⁴ respondents were asked, based on the information they reviewed, how likely they would be to use the website to purchase a pair of sneakers. Respondents could select a number from a scale from 1-7 (with 1 = extremely unlikely and 7 = extremely likely) or indicate “Don’t know /

³² The survey stimuli are explained in more detail in **Section F** below.

³³ Respondents were required to view each webpage for at least ten seconds before being able to move to the next page of the survey.

³⁴ Respondents who indicated they could not see the webpages clearly were screened out.

unsure.”³⁵ All respondents who selected a number from the scale were then asked what makes them say that.³⁶ These questions are shown below:³⁷

Q. Based on the information you reviewed, and using the scale below, how likely would you be to use this website to purchase a pair of sneakers?

Extremely unlikely			Neither likely nor unlikely			Extremely likely
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1	2	3	4	5	6	7

1. Don’t know / unsure

Q. What makes you say that your likelihood of using this website to purchase a pair of sneakers would be [**PIPE IN NUMBER**] on the 7-point scale (with 1 = Very unlikely and 7 = Extremely likely)? (*Please type in your response.*)³⁸

27. After this series of questions, respondents were asked about past survey participation and were asked an industry screener question (described in paragraph 21). Respondents were also asked whether they were aware of any lawsuits involving StockX. Those who indicated “Yes” were asked to describe the lawsuit in their own words. After this, the survey was complete, and respondents were thanked for their time.

³⁵ The presentation of the scale was rotated to guard against order effects.

³⁶ Respondents who selected “Don’t know / unsure” were not asked the follow-up question.

³⁷ Above both questions, respondents were provided with thumbnails for each webpage, with the instruction, “Please [tap / click] on a webpage to review it fully. When you are finished reviewing the webpage, [tap / click] anywhere on the screen to exit.”

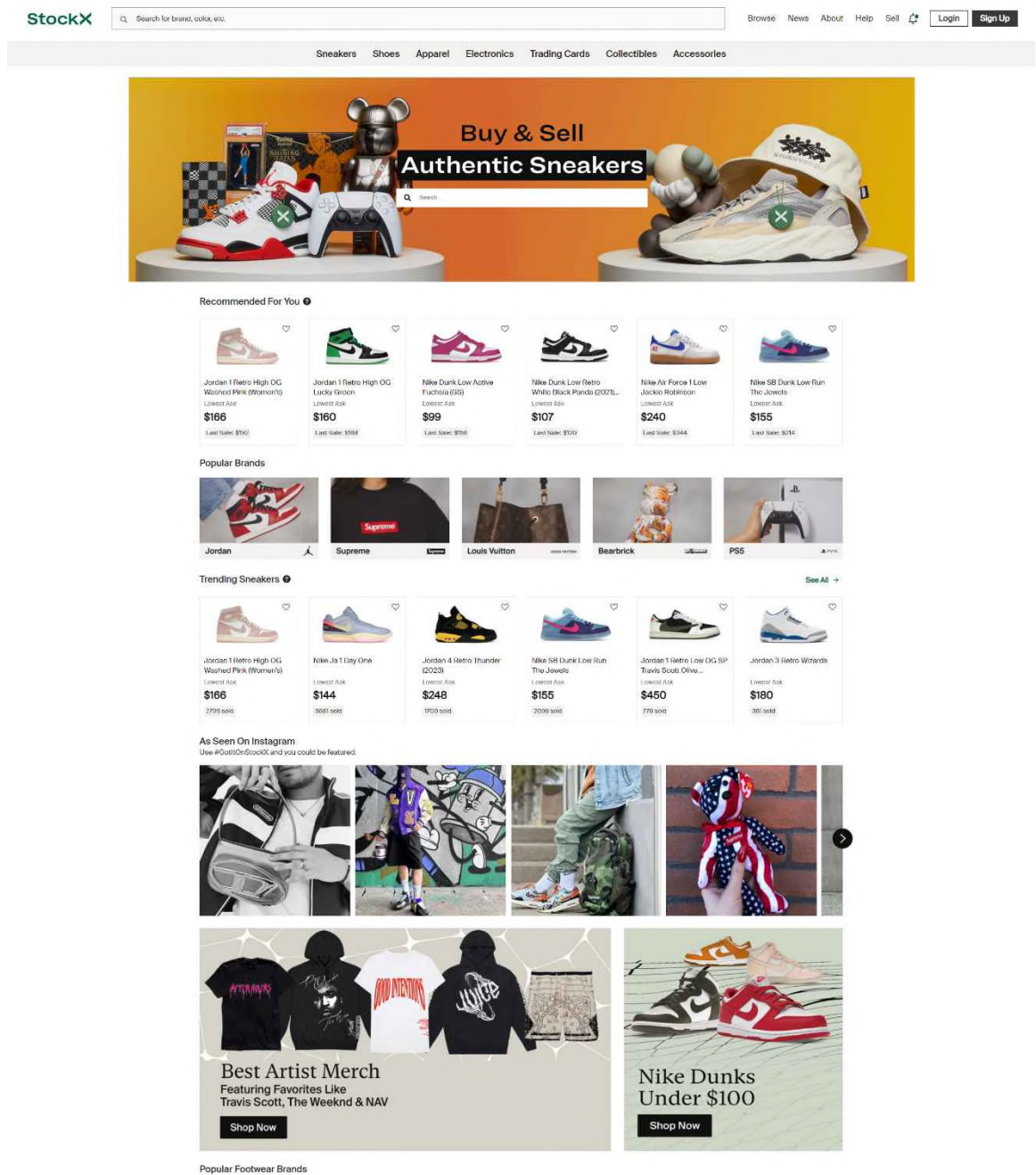
³⁸ Respondents could type in a response or select a check box for “Don’t know / unsure.”

F. Stimuli Shown

28. To determine whether the Authentication Statements on StockX's website would influence consumers' decision to use the site to purchase a pair of sneakers, I showed respondents webpages from StockX's website with statements about authentication.

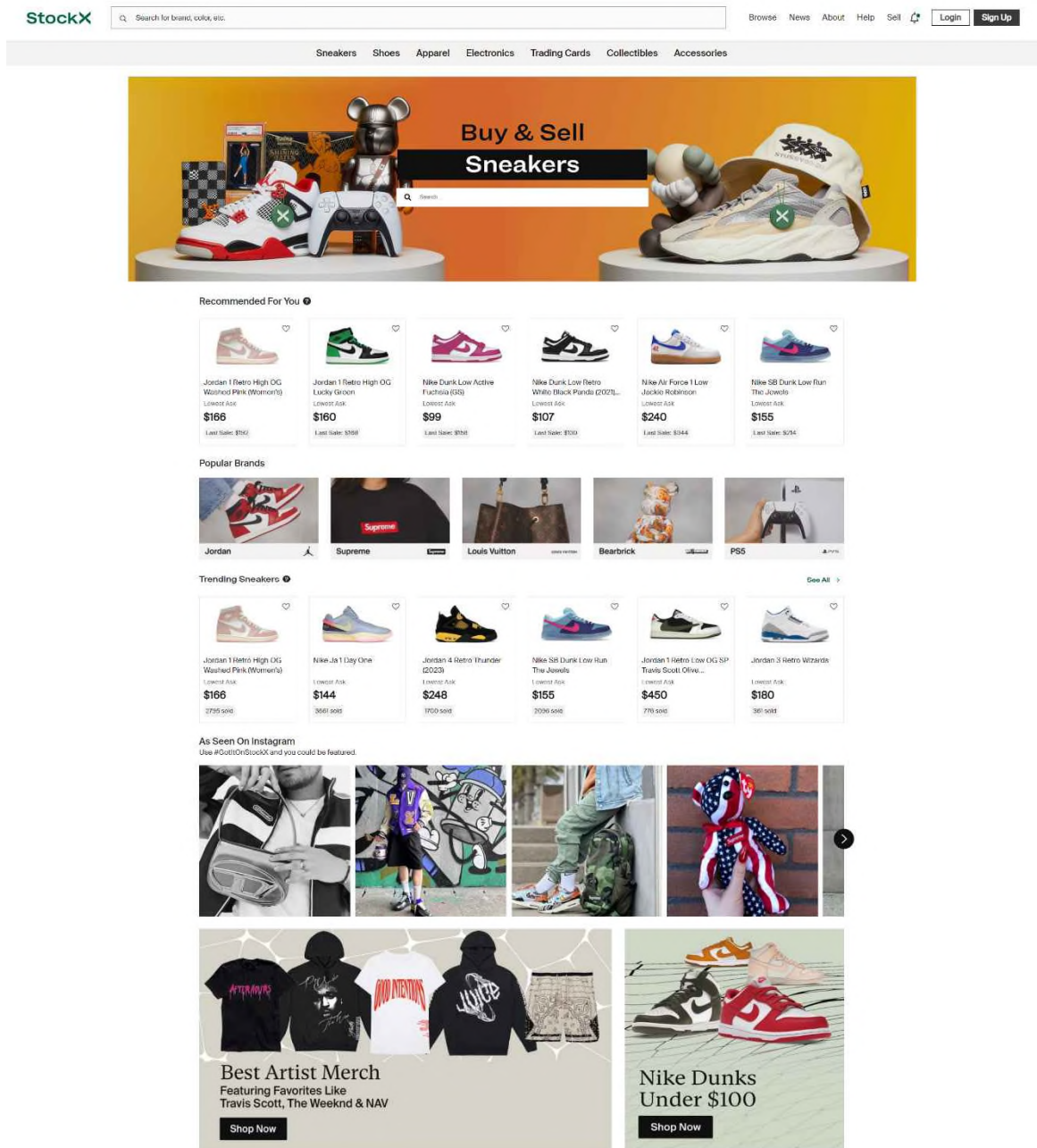
29. To understand what effect the Authentication Statements made by StockX would have on consumers' decision to use the site to purchase a pair of sneakers, I used a Test-Control experimental design. In this type of survey, respondents are randomly assigned to a Test Group (*i.e.*, those shown the StockX webpages with the Authentication Statements) or a Control Group (*i.e.*, those shown the same set of pages with the Authentication Statements removed or altered). Including a Control Group as part of the design allows me to determine what impact, if any, is specifically and solely attributable to Authentication Statements as the pages are exactly the same but for the statements. Therefore, the Control Group allows me to determine whether the Authentication Statements have an incremental impact on consumers' interest in using the site to purchase sneakers.

30. In the survey, respondents were first shown a historical version of the StockX homepage, bearing some of the Authentication Statements. Full webpages for all stimuli are included in **Exhibit F**. Respondents in the Test Group saw the page presented below in **Figure 1** while those in the Control Group saw the same page with the word "Authentic" removed from "Buy and Sell Authentic Sneakers" (see **Figure 2**).

Figure 1. StockX Homepage: Test Group³⁹

³⁹ See, <https://web.archive.org/web/20210427125053/https://stockx.com/>, last accessed May 30, 2023 and <https://stockx.com/>, last accessed May 30, 2023.

Figure 2. StockX Homepage: Control Group



31. Next, I provided respondents with a historical version of the StockX “How It Works” webpage that contains some of the Authentication Statements. A portion of this webpage for Test Group respondents is shown below in **Figure 3** and for the Control Group in **Figure 4**.⁴⁰


⁴⁰ Full webpages for all stimuli are included in **Exhibit F**.

Figure 3. StockX “How It Works” Webpage: Test Group⁴¹

StockX Browse News About Help Login Sign Up [Sell](#)

The Current Culture Marketplace


Our mission is to provide access to the world's most coveted items in the smartest way possible. Buy and sell the hottest sneakers, apparel, electronics, collectibles, trading cards and accessories.



Authentication + + + + +

Buyers + + + + +


Sellers + + + + +



100% Verified Authentic


Every item sold goes through our proprietary multi-step verification process with our team of expert authenticators.

[Learn More](#) + + + + +




Transparent Pricing

Our real-time marketplace works just like the stock market – allowing you to buy and sell the most coveted items at their true market price.




Global Access

Whether it's pre-release, regionally limited, or “sold out” – our millions of customers from over 200+ countries allow you to easily secure those hard-to-find, coveted items.




No BS

No chargebacks, no taking photos, no writing catchy descriptions, and no dealing with rogue buyers or sellers. We handle everything to make sure you can buy and sell with complete confidence.



Secure

Preserving the integrity of our marketplace means staying a step ahead. Our security and fraud systems, powered by our world class partners, have your personal information covered 24/7.



Here For You

Thanks to our [Help Center](#), Chatbot, and dedicated global-support staff, you can be sure that we are always available to answer any and every question regarding our marketplace.

⁴¹ NIKE0005790-95.

Figure 4. StockX “How It Works” Webpage: Control Group

[Browse](#)
[News](#)
[About](#)
[Help](#)
[Login](#)
[Sign Up](#)

Sell

The Current Culture Marketplace

Our mission is to provide access to the world's most coveted items in the smartest way possible. Buy and sell the hottest sneakers, apparel, electronics, collectibles, trading cards and accessories.

Inspected + + + + +

Buyers + + + + +

Sellers + + + + +

StockX Inspected

Every item sold goes through our proprietary inspection process with our team of inspectors.

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Transparent Pricing

Our real-time marketplace works just like the stock market – allowing you to buy and sell the most coveted items at their true market price.

Global Access

Whether it's pre-release, regionally limited, or “sold out” – our millions of customers from over 200+ countries allow you to easily secure those hard-to-find, coveted items.

No BS

No chargebacks, no taking photos, no writing catchy descriptions, and no dealing with rogue buyers or sellers. We handle everything to make sure you can buy and sell with complete confidence.

Secure

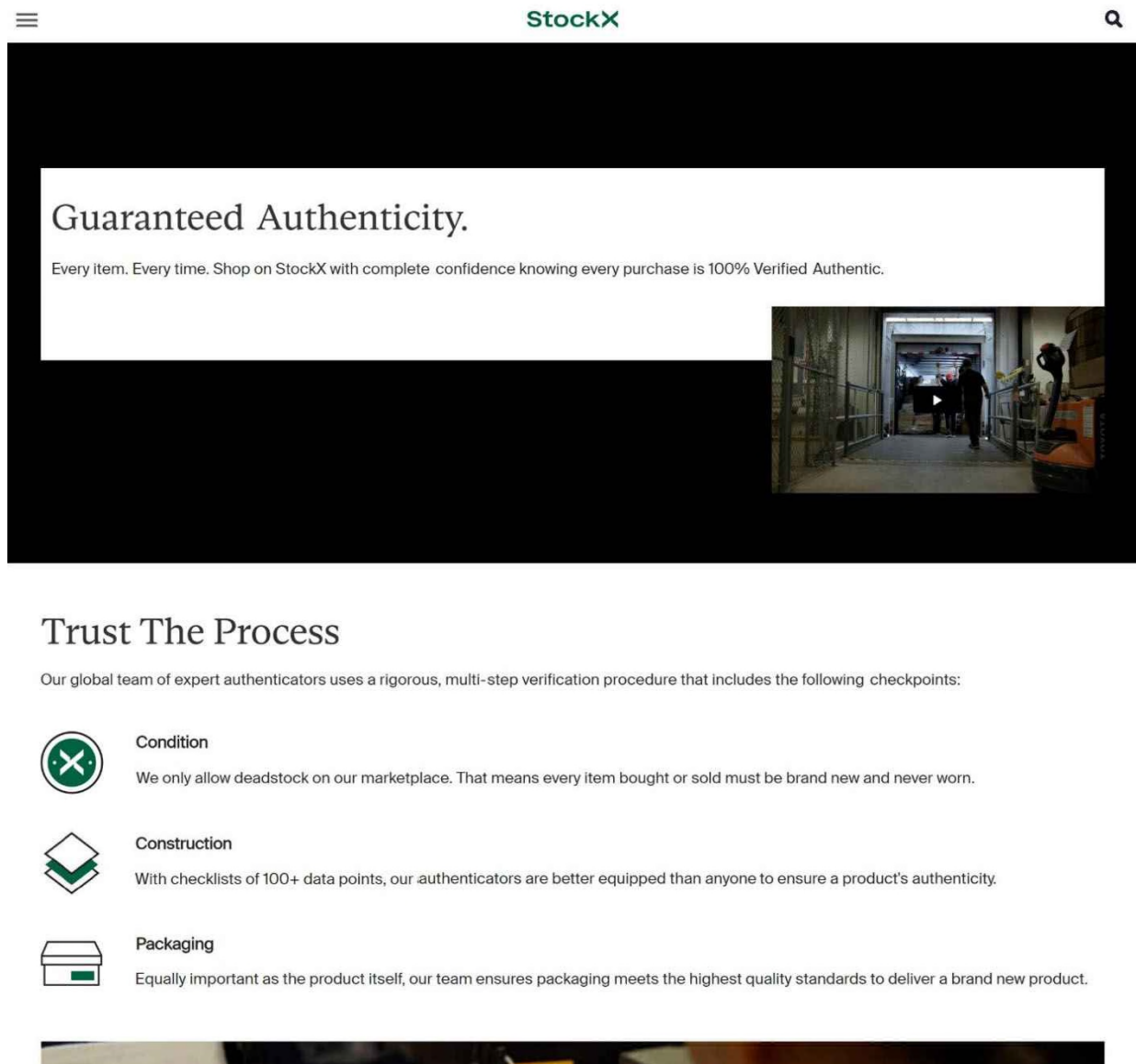
Preserving the integrity of our marketplace means staying a step ahead. Our security and fraud systems, powered by our world class partners, have your personal information covered 24/7.

Here For You

Thanks to our [Help Center](#), Chatbot, and dedicated global-support staff, you can be sure that we are always available to answer any and every question regarding our marketplace.

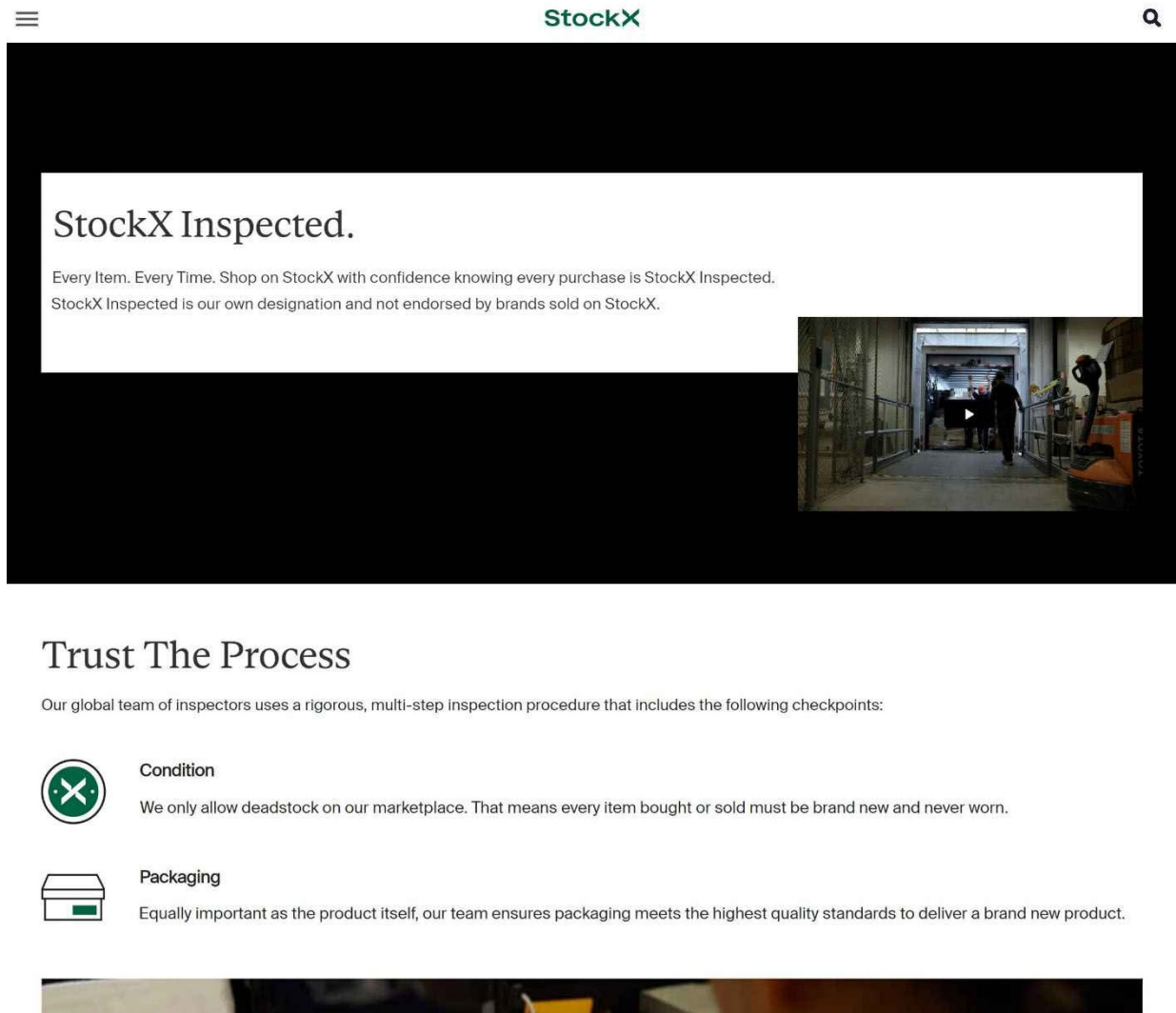
32. Next, I provided respondents with a historical version of the StockX “Process” webpage explaining the process by which StockX reviews products before a sale can be completed, including claims about “Guaranteed Authenticity” and other Authentication Statements. A portion of this webpage for Test Group respondents is shown below in **Figure 5**. A portion of the webpage shown to Control Group respondents is shown in **Figure 6**.

Figure 5. StockX “Process” Webpage: Test Group⁴²

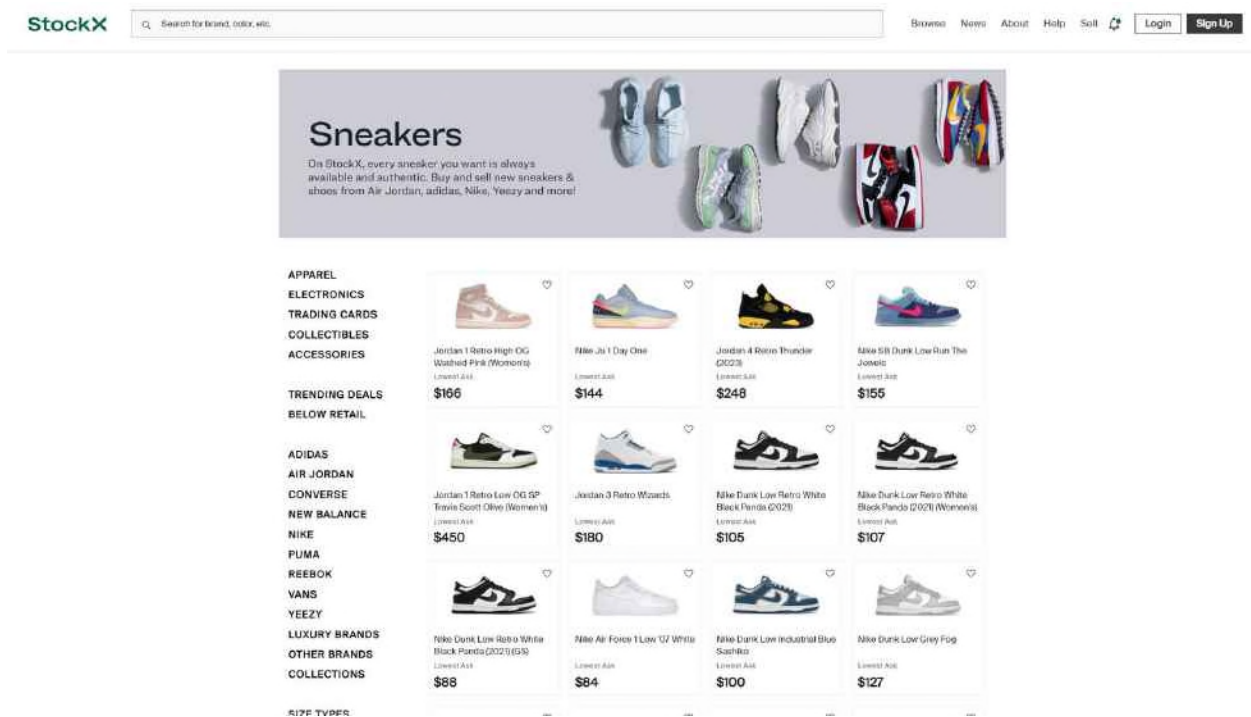


⁴² NIKE0000281-87.

Figure 6. StockX “Process” Webpage: Control Group

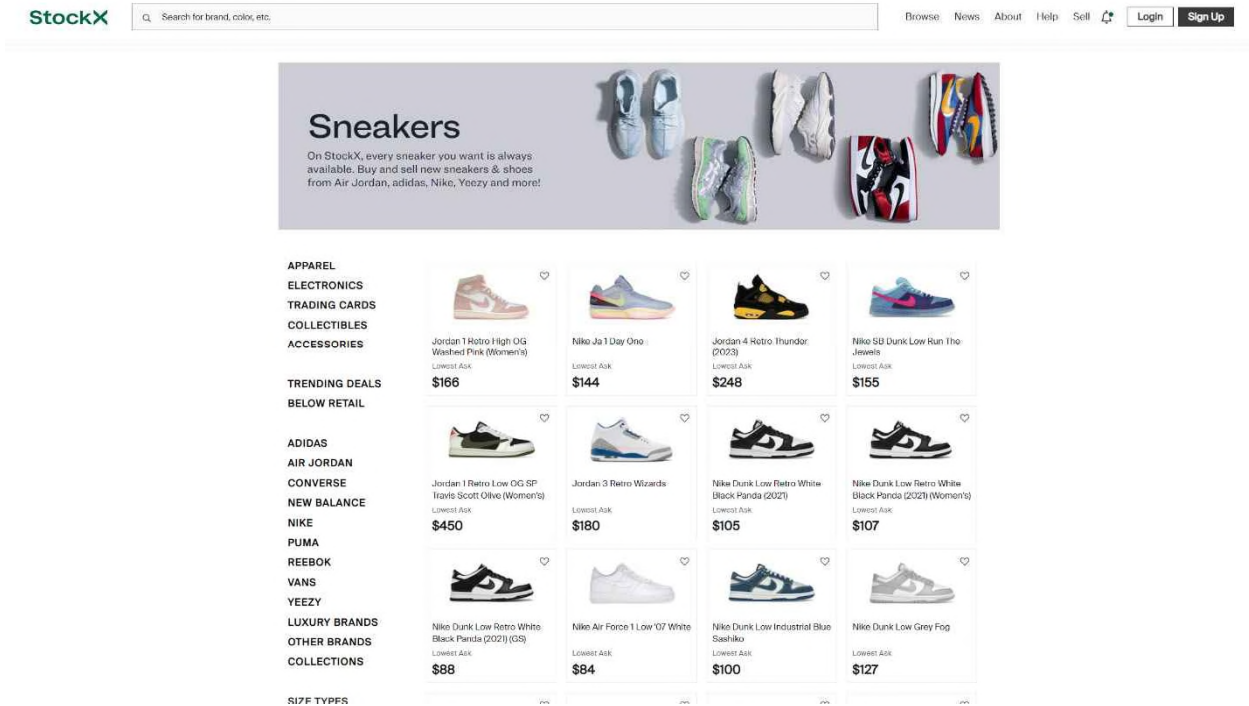


33. Next, I provided respondents with a historical version of the “Sneakers” webpage showing sneakers listed for sale and containing Authentication Statements. A portion of this webpage for Test Group respondents is shown below in **Figure 7** and the webpage shown to Control Group respondents is shown in **Figure 8**.

Figure 7. StockX “Sneakers” Webpage: Test Group⁴³

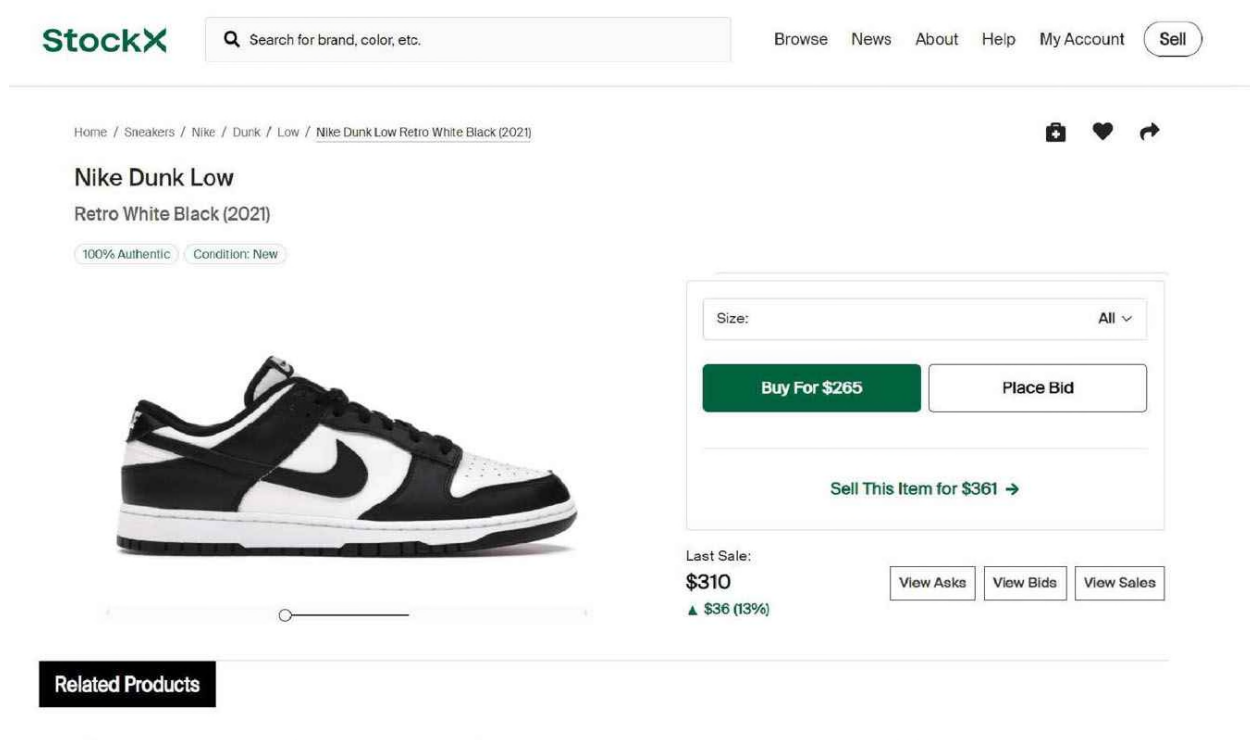
⁴³ See, <https://web.archive.org/web/20220207163648/https://stockx.com/sneakers>, last accessed May 30, 2023 and <https://stockx.com/sneakers>, last accessed May 30, 2023.

Figure 8. StockX “Sneakers” Webpage: Control Group

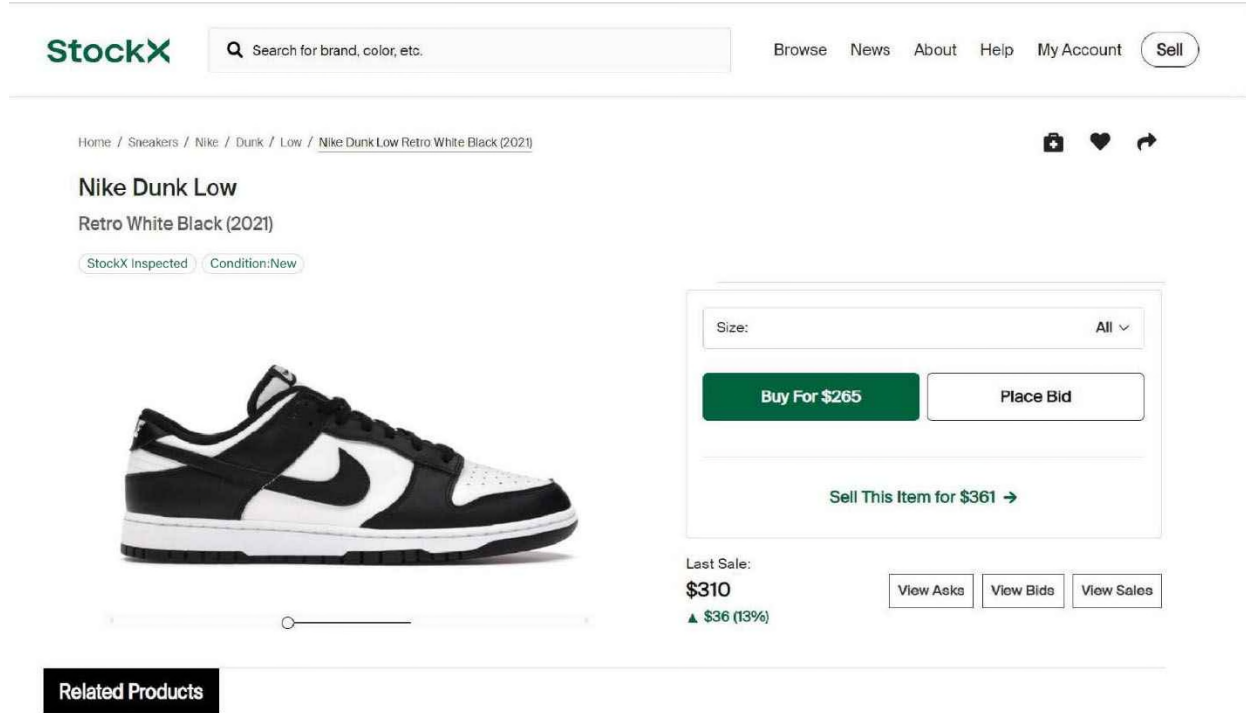


34. Last, I provided respondents with a historical version of the product description webpage for one of the Nike sneakers featured on the “sneakers” webpage – the Nike Dunk Low Retro Black White – which contains Authentication Statements that Nike has alleged to be false and misleading. A portion of this webpage for Test Group respondents is shown below in **Figure 9** and the webpage shown to Control Group respondents is shown in **Figure 10**.

Figure 9. Nike Dunk Low “Product Description” Webpage: Test Group⁴⁴



⁴⁴ NIKE0000016-17.

Figure 10. Nike Dunk Low “Product Description” Webpage: Control Group

35. As shown below in **Figure 11**, I made a series of changes to each of the Control pages to remove or alter the Authentication Statements.

Figure 11. Stimuli Modifications

	Test Group	Control Group
StockX Homepage	“Buy and Sell Authentic Sneakers”	“Buy and Sell Sneakers”
How it Works Webpage	<p>Green “Authentication” box</p> <p>“100% Verified Authentic”</p> <p>“Every item sold goes through our proprietary multi-step verification process with our team of expert authenticators.”</p> <p>“We Authenticate”</p> <p>“We Authenticate & You Get Paid”</p>	<p>Green “Inspected” Box</p> <p>“StockX Inspected”</p> <p>“Every item sold goes through our proprietary inspection process with our team of inspectors.”</p> <p>“We Inspect”</p> <p>“We Inspect & You Get Paid”</p>

StockX “Process” Webpage	“Guaranteed Verification”	“StockX Inspected”
	“Every Item. Every Time. Shop on StockX with confidence knowing every purchase is 100% Verified Authentic.”	“Every Item. Every Time. Shop on StockX with confidence knowing every purchase is StockX Inspected. StockX Inspected is our own designation and not endorsed by brands sold on StockX.”
	“Our global team of expert authenticators...”	“Our global team of inspectors...”
	“Construction With checklists of 100+ datapoints, our authenticators are better equipped than anyone to ensure a product’s authenticity.”	Entire statement was removed.
	“A final check in our authentication practice...”	“A final check in our inspection process...”
	“Authenticators” or “Authenticator”	“Inspectors” or “Inspector”
	“In a community filled with inauthentic items...”	“In a community filed with uninspected items...”
	“I have the privilege of teaching a new generation of authenticators...”	“I have the privilege of teaching a new generation of inspectors...”
	“Over the years, our team members have authenticated...”	“Over the years, our team members have inspected...”
	Green “chips” reading “Verified Authentic”	Green chips were blurred so no text was visible.
	“Our authenticators share a deep love”	“Our inspectors share a deep love”
	“Verifying the Air Jordan” Video	“Inspecting the Air Jordan” Video
	“Details Verified Authentic”	“StockX Inspected”

	<p>“StockX defines “Deadstock” as an authentic, new, unworn pair of sneakers.”</p> <p>“How does the Verification process work?”</p> <p>“Once a product arrives to StockX from the seller, our dedicated verification team begins...”</p>	<p>“StockX defines “Deadstock” as a new, unworn pair of sneakers.”</p> <p>“How does the Inspection process work?”</p> <p>“Once a product arrives to StockX from the seller, our dedicated inspection team begins...”</p>
Sneakers Webpage	<p>“On StockX, every sneaker you want is always available and authentic. Buy and sell new sneakers & shoes from Air Jordan, adidas, Nike, Yeezy and more!”</p>	<p>“On StockX, every sneaker you want is always available. Buy and sell new sneakers & shoes from Air Jordan, adidas, Nike, Yeezy and more!”</p>
Nike Dunk Low “Product Description” Webpage	<p>“100% Authentic”</p>	<p>“StockX Inspected”</p>

VI. SURVEY RESULTS

36. I surveyed a total of 409 respondents.⁴⁵ The age and Census region of respondents' residences are shown below in **Table 1** and **Table 2**. As shown below, survey respondents were a mix of ages, resided across the four U.S. Census regions, and included both men and women.

Table 1. Age and Gender of Respondents

Age Group	Male		Female		Overall	
	Count	Percent	Count	Percent	Count	Percent
18-34	140	34.2%	93	22.7%	235	57.5%
35-54	111	27.1%	55	13.4%	167	40.8%
55+	4	1.0%	3	0.7%	7	1.7%
Total Respondents	255	62.3%	151	36.9%	409	100.0%

Note: Two respondents in age group 18-34 and one respondent in age group 35-54 indicated "non-binary" when asked their gender.

Source: NERA Shoe Survey, May 2023.

Table 2. Respondents' Census Region

Response	Count	Percent
Northeast	75	18.3%
Midwest	75	18.3%
South	189	46.2%
West	70	17.1%
Total Respondents	409	100.0%

Source: NERA Shoe Survey, May 2023.

37. All respondents had to have purchased or indicate that they would consider purchasing sneakers from StockX to qualify for the survey.⁴⁶ These consumers have also used or would consider purchasing from a number of other third-party sites including eBay, GOAT,

⁴⁵ Final data can be found in **Exhibit G**.

⁴⁶ Based on open-ended responses, at least 58 respondents specifically indicated that they have purchased sneakers using StockX in the past.

Poshmark, and Flight Club.⁴⁷ A small number of respondents indicated that they have or would consider purchasing from a fake site, thegrid.com.⁴⁸ On average, respondents indicated that they have or would consider purchasing from five of the listed third-party online marketplace websites. These results are shown below in **Table 3**.

Table 3. Third-Party Online Marketplace Websites Respondents Have / Would Purchase Sneakers From

Response	Count	Percent¹
stockx.com	409	100.0%
eBay.com	312	76.3%
goat.com	245	59.9%
poshmark.com	187	45.7%
flightclub.com	185	45.2%
realreal.com	114	27.9%
thredup.com	112	27.4%
depop.com	98	24.0%
farfetch.com	98	24.0%
grailed.com	80	19.6%
ssense.com	72	17.6%
thegrid.com	56	13.7%
Other	10	2.4%
None of these	0	0.0%
Don't know / unsure	0	0.0%
Total Respondents	409	

S12. Of the following third-party online marketplace websites [which, if any, did you purchase a pair of sneakers from since 2020] [you are aware of, which, if any, would you consider purchasing a pair of sneakers from] [you are aware of, which, if any, did you purchase a pair of sneakers from since 2020 and/or would you consider purchasing a pair of sneakers from]?

Note: ¹ Percentages do not add to 100 because respondents could select multiple responses.

Source: NERA Shoe Survey, May 2023.

⁴⁷ I understand many of these third-party online marketplace websites also use statements related to authentication. For example, flightclub.com notes under their “General Inquiries” page that all of their inventory is “guaranteed authentic” (See, STX0805880) and goat.com states that they offer an “Assurance of Authenticity” (See, STX0805899). Websites like eBay also include authentication services, where listings receive a blue checkmark next to the words “Authenticity Guarantee” (See, STX0805895).

⁴⁸ To assess whether I should remove these respondents from my final sample, I analyzed the data with and without those who indicated that they had or would consider purchasing sneakers from “thegrid.com.” When I exclude these respondents, the average purchase interest of the Test Group is no different than the average purchase interest of the Control Group. Because including these respondents does not affect my conclusions, I retain all respondents in my final sample. Results without these respondents can be found in **Exhibit H**.

38. The vast majority of consumers who have purchased sneakers from a third-party site in the past would do so again in the future. A total of 317 of respondents (77.5 percent) surveyed indicated that they have purchased sneakers in the past from a third-party site and would do so in the future, 15.9 percent would consider purchasing in the future (but have not done so in the past),⁴⁹ and a small number (6.6 amount) have only purchased in the past.⁵⁰

39. After being shown the Test or Control stimuli, respondents reported their likelihood of using this website to purchase a pair of sneakers. These results are shown below. Results omitting respondents who reported being aware of a lawsuit involving StockX are presented in **Exhibit H**.⁵¹ As shown in **Table 4**, respondents in both groups report being very likely to use the StockX website to purchase sneakers. In the Test Group, 95.1 percent of respondents reported a 5, 6, or 7 on the scale with 1 = Extremely Unlikely and 7 = Extremely Likely. In the Control Group, 94.6 percent reported a 5, 6, or 7. When I compare the average purchase interest of the Test Group to that of the Control Group, I find there is no statistically significant difference.⁵² In other words, the removal or alteration of the Authentication Statements has no discernable impact on consumers' interest in using the StockX website to purchase sneakers.

⁴⁹ Results for respondents who did not previously purchase from StockX or any other third-party site are included in **Exhibit H**.

⁵⁰ I evaluated whether the small number of those who had purchased in the past but would not do so in next year were more likely to be those aware of a lawsuit against StockX. Of the total 27 respondents who have purchased sneakers using a third-party site since 2020 but would not do so in the next year, only six of them were aware of a lawsuit related to StockX. This suggests that the reason these past purchasers do not intend to purchase from a third-party site such as StockX in the future is not the result of knowledge about the lawsuit.

⁵¹ Results remained consistent even amongst those who indicated they knew about a lawsuit with StockX.

⁵² On average, respondents in the Test Group reported an equally high likelihood of purchase ($M = 6.20$, $SE = .08$) compared to Control Group respondents ($M = 6.31$, $SE = .07$), $t(407) = 1.97$, $p = .33$.

Table 4: Respondents' Likelihood of Using Website to Purchase Sneakers

Response	Test		Control	
	Count	Percent	Count	Percent
1: Extremely unlikely	2	1.0%	1	0.5%
2	2	1.0%	1	0.5%
3	3	1.5%	2	1.0%
4: Neither likely nor unlikely	3	1.5%	7	3.4%
5	26	12.6%	23	11.3%
6	69	33.5%	55	27.1%
7: Extremely likely	101	49.0%	114	56.2%
Don't know / unsure	0	0.0%	0	0.0%
Total Respondents	206	100.0%	203	100.0%

Q2. Based on the information you reviewed, and using the scale below, how likely would you be to use this website to purchase a pair of sneakers?

Source: Source: NERA Shoe Survey, May 2023.

40. In response to an open-ended question asking why they would be likely (or unlikely) to use the StockX website to purchase a pair of sneakers, respondents provided a range of answers. Many appreciated the organization and/or layout of the website, the variety or price of products, or noted their past positive experience with StockX. For example:

- Respondent 657533960 was “Extremely Likely” to purchase shoes from the StockX website because “I have used StockX in the past and had a good experience. They also have a very wide variety of sneakers and apparel that I am interested in.”;
- Respondent 656735986 was “Extremely Likely” to purchase shoes from the StockX website because “This website looks really cool.”;
- Another respondent (656740412) was likely to purchase shoes on the StockX website because they “liked the interface of the website it was easy to look for information and really well-organized also it seems really user-friendly. Also, I liked how easily I can buy and sell a product here.”; and

- Respondent 656948375 was likely to use the website because “Being able to bid means i might get a better price.”

41. In the Test Group, 22.3 percent of respondents⁵³ indicated that their interest in using the site was, in part, due to authentication, guarantees, or trusting the site. The rates were similar in the Control Group, in which 20.7 percent of respondents⁵⁴ indicated that their interest in using the site was, in part, due to authentication, guarantees, inspections, or trusting the site.^{55,56} The similarity in the results in the open-ended responses confirm the findings from the purchase interest question; the Authentication Statements do not have a meaningful impact on respondents’ interest in using StockX’s site to purchase sneakers.

42. When considering only those respondents who reported being likely to purchase a pair of sneakers from a third-party online marketplace like StockX in the next year, but who had not previously purchased products from StockX or a site like it since 2020 (meaning they may not have been exposed to StockX’s Authentication Statements in the past), only 21.2 percent of respondents in the Test Group mentioned authentication, guarantees, or trusting the site. The rates

⁵³ See Respondents 657106554, 656719492, 656741303, 656745890, 656946722, 656965004, 656971534, 656985565, 657025206, 657025299, 657031850, 657042467, 657058868, 657072058, 657108132, 657121974, 657445880, 657487506, 657514033, 657516952, 657522430, 657523003, 657687853, 657700715, 657711246, 657863860, 658033156, 658033969, 658050177, 658055566, 658094506, 658122593, 658278563, 657024554, 657443224, 657492933, 657498441, 657696480, 657857326, 658054284, 657027207, 657163504, 657526487, 657650205, 658032018, and 658111795.

⁵⁴ See Respondents 656886891, 656964494, 656964952, 656994350, 657023309, 657023741, 657040798, 657048514, 657051099, 657060821, 657063358, 657081138, 657093626, 657121059, 657134581, 657463700, 657491843, 657496138, 657499557, 657523559, 657535921, 657666413, 657842687, 657863694, 658023653, 658049071, 658054137, 658057477, 658094325, 658247553, 658249215, 657076244, 657095129, 657503511, 658270393, 657497083, 656969531, 656939007, 657025243, 657032071, 657551366, and 657032569.

⁵⁵ Some number of respondents in both the Test and the Control Groups appear to simply be referencing the process of reviewing, or evaluating, the shoes (and use the language of “authenticate” or “inspect” in this manner). I have included all such references in the tabulations above (*i.e.*, 22.3 percent in the Test Group and 20.7 percent in the Control Group). Removing the small number of respondents in the Control Group who only referenced “inspection” statements (Respondents 657081138, 657491843, 657666413, and 656969531), results in a total of 18.7 percent of Control Group respondents who indicated that their interest in purchasing sneakers from the site was due, in part, to authentication, guarantees, or trusting the site.

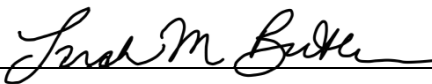
⁵⁶ Of the 196 Test Group respondents likely (5, 6, or 7) to use the site, 46 (23.5 percent) mentioned authentication, guarantees, or trusting the site, compared to 21.9 percent (42/192) in the Control Group who mentioned authentication/inspection, guarantees, or trusting the site. This is a net difference of 1.6 percent. Similar analyses for respondent subgroups are included in **Exhibit H**.

were again similar in the Control Group, where 18.8 percent of respondents mentioned authentication, guarantees, inspection, or trusting the site. The net difference is 2.5 percent.

VII. CONCLUSIONS

43. I conducted a survey of 409 consumers who have purchased a pair of sneakers on StockX.com since 2020 or who are likely to do so in the next year. The results from my survey establish that the allegedly false Authentication Statements do not have a material impact on consumers' likelihood of using the website to purchase a pair of sneakers. A statistically equivalent number of respondents indicated that they are likely to use StockX to purchase sneakers when its webpages included Authentication Statements as compared to the number who would purchase when shown the same pages without the Authentication Statements (*i.e.*, those shown webpages with the statements removed or replaced by "inspected").

44. My conclusions have been reached through the proper application of survey methods and using standard methodologies relied upon by experts in the field of survey and market and consumer research. My opinions will continue to be informed by any additional material that becomes available to me. I reserve the right to update and or supplement my opinions if I am provided with additional information. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.



Sarah Butler, Managing Director
June 2, 2023

Exhibit A

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SARAH BUTLER, M.A.

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Ms. Butler is an expert in survey research, market research, sampling, and statistical analysis. She has applied her expertise in a wide range of litigation and strategic business cases. Her litigation and project experience includes survey research, market research, the design of samples, and the statistical and demographic analysis of large data files in a number of areas including:

Intellectual Property

- Trademark and Trade Dress Infringement: Design, analysis, and critique of surveys used to measure consumer confusion, secondary meaning, and dilution in trademark and trade design infringement cases.
- False and Misleading Advertising: Design, analysis and critique of surveys used to measure consumer perceptions and the materiality of advertising claims.
- Patent Infringement: Sample designs and surveys to the value of patented feature of a larger product and to establish rates at which infringing material exist in populations of products.
- Copyright infringement: Sampling plans and analysis of the rates of infringing material in populations of shared information (such as through websites or other sharing medium).

Mass Torts/Class Actions

- Conduct surveys and design samples providing evidence on issues of commonality and consumers' awareness of key documents or facts and reliance on representations.
- Analyze large databases of claims files to generate invoices, estimate future liabilities and calculate policy shares for insurer liabilities in asbestos, tobacco and pharmaceuticals.
- Design, analyze and critique surveys and sampling plans used to evaluate employment and promotion records. Review and design surveys for purposes of estimating key facts

in labor class actions including time to complete activities, exempt/nonexempt activities, and meal and rest break issues.

Antitrust

- Design, analysis and critique of surveys and other market research used as evidence of consumer purchasing and switching behavior in the areas of CPG, entertainment, automobiles, public transportation, sports and consumer electronics.
- Design, analysis and critique of surveys used to demonstrate consumer price sensitivities and willingness to pay.

Prior to joining NERA, Ms. Butler worked in market research, conducting survey research, focus groups and in-depth interviews.

Education

Temple University

Applied Sociology, coursework, exams and dissertation proposal complete (2005).

Temple University

M.A. Sociology, (2000).

Trinity College, Dublin Ireland

M.Phil. (1997).

Wellesley College

B.A. Sociology and History (with honors). (1995).

Professional Experience

July 2006 - Present	Senior Consultant – Senior Managing Director NERA Economic Consulting San Francisco, California, USA
Oct 2005 – May 2006	Special Consultant NERA Economic Consulting London, England
Jan 2003 – Oct 2005	Senior Analyst - Consultant NERA Economic Consulting Philadelphia, Pennsylvania, USA

2002 - 2003	Consultant Integrated Marketing Associates Bryn Mawr, PA, USA
Oct 1998 - Jan 2002	Research Associate – Analyst NERA Economic Consulting Philadelphia, Pennsylvania, USA
Sept 1998 – May 2003	Adjunct Professor Temple University Philadelphia, Pennsylvania, USA
Jan 1997 – Feb 1998	Manager of Member Research Society for Neuroscience Washington DC, USA

Expert Analysis and Testimony

2023

Intellectual Property Matters

Casa Tradición S.A. de C.V. v. Casa Azul Spirits, LLC.* United States District Court Southern District of Texas, Houston Division. *Rebuttal Report*.

Tari Labs, LLC v. Lightning Labs, Inc.* United States District Court Northern District of California, San Francisco Division. *Expert Report*.

Edible IP, LLC and Edible Arrangements LLC* v. 1-800-Flowers.com, Inc. and 800-Flowers, Inc. United States District Court Northern District of Georgia Atlanta Division. *Expert Report. Rebuttal Report. Deposition*.

GOLO, LLC* v. Goli Nutrition Inc. United States District Court District of Delaware. *Expert Report. Reply Report. Deposition*.

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Class Action Matters

Bruce Puterbaugh v. Oorah, Inc.; Kars4Kids, LLC (Erroneously Sued Herein as Kars4Kids and J.O.Y. of Our Youth) and DOES 1-50.* United States District Court for the Central District of California. *Expert Report*.

Tammy La Barbera v. Olé Mexican Foods, Inc.* United States District Court for the Central District of California. *Rebuttal Report. Deposition*.

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Tiffany Coleman, Keli Swann, and Heather Brooke, individually and on behalf of all others similarly situated, v. Britax Child Safety Inc.* United States District Court of South Carolina, Rock Hill Division. *Expert Report. Deposition*.

Kevin Shenkman v. Tesla, Inc. and DOES 1 to 50, inclusive.* Superior Court of California, County of Alameda. *Expert Report. Deposition*.

Other Matters

Moxie Pest Control* v. Kyle Nielsen, et.al. United States District Court for the District of Utah, Central Division. *Expert Report*.

AliveCor, Inc. v. Apple Inc.* United States District Court Northern District of California. *Expert Report. Deposition*.

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Sports Marketing Monterrey Group, LLC* v. Socios Services US Inc., and Mediarex Enterprises Limited. United States District Court for the Northern District of California, San Francisco Division. *Declaration. Reply Declaration*.

Xerox Corporation (USA) v. Fujifilm Business Innovation Corp. (formerly known as Fuji Xerox Co., Ltd.) (Japan).* International Court of Arbitration of the International Chamber of Commerce. *Expert Report*.

F21 OPCO, LLC* v. AIRWAIR INTERNATIONAL LTD. United States District Court for the Central District of California, Western Division. *Expert Report. Rebuttal Report. Deposition*.

Florida Virtual School v. K12 Inc., and K12 Florida LLC.* United States District Court Middle District of Florida Orlando Division. *Expert Report. Deposition*.

ImprimisRX, LLC* v OSRX, Inc.; Ocular Science, Inc., United States District Court Southern District of California. *Expert Report. Deposition.*

WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Dell Technologies, Inc., Dell Inc., and EMC Corporation.* (Case No. 6:20-cv-473-ADA). United States District Court Western District of Texas Waco Division. *Expert Report. Deposition.*

Bluebonnet Internet Media Services, LLC* v. Pandora Media, LLC. United States District Court Western District of Texas Waco Division. *Expert Report.*

In re Application of Wine.com LLC.* United States Patent and Trademark Office before the Trademark Trial and Appeal Board. *Expert Report.*

Bilt Technologies, Inc. v. BILT, Inc.* United States District Court for The Southern District of New York. *Expert Report. Rebuttal Report. Deposition.*

Sazerac Brands, LLC* v. Eagle Trace Brewing Company LLC. United States Patent and Trademark Office before the Trademark Trial and Appeal Board. *Expert Report.*

UV RML NL ASSETS LLC* v. Coulter Ventures LLC. United States District Court Central District of California. *Expert Report. Rebuttal Report.*

Tortilla Factory, LLC v. GT's Living Foods, LLC.* United States District Court for The Central District of California. *Expert Report. Trial Testimony.*

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Thrive Natural Care, Inc. v. Le-Vel Brands, LLC.* United States District Court Central District of California, Southern Division. *Expert Report. Deposition.*

Crystal Lagoons U.S. Corp and Crystal Lagoons Technologies, Inc. v. Desert Color Manager LLC, Desert Color St. George LLC, AJ Construction, Inc., Cole West Home LLC, Holmes Homes, Inc., Sullivan Homes LLC, and Pacific Aquascape International, Inc.* United States District Court District of Utah, Central Division. *Expert Report.*

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Chartwell Studio Inc., v. Team Impressions, Inc., and The Peel People, LLC.* United States District Court Northern District of Illinois Eastern Division. *Rebuttal Report. Deposition.*

Brooks Sports, Inc.* v. SPARC Group, LLC, Authentic Brands Group LLC, BB IPCO, LLC, BB OPCO, LLC., Simon Property Group, INC., Simon Property Group, L.P. United States District Court Western District of Washington at Seattle. *Expert Report.*

Shanghai Zhenglang Technology Co., Ltd.* v. Mengku Technology Co., Ltd, and Qianan Li. United States District Court Eastern District Of New York. *Rebuttal Report.*

Harman International Industries, Inc.,* v. Jem Accessories, Inc. United States District Court for the Central District of California. *Expert Report.*

PepsiCo* v. Rockstar Industries, LLC. United States Patent and Trademark Office before the Trademark Trial and Appeal Board. *Expert Report.*

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R80 LLC* v. Société des Produits Nestlé S.A., et al. United States District Court District of Maryland Southern Division. *Expert Report. Rebuttal Report.*

H&R Block, Inc.,* and HRB Innovations, Inc. v. Block, Inc. United States District Court Western District of Missouri. *Rebuttal Declaration. Reply Declaration. Expert Report.*

Vans, Inc. and VF Outdoor, LLC v. Walmart, Inc., The Doll Maker, Inc., and Trendy Trading, LLC.* United States District Court Central District of California Southern Division. *Declaration.*

Warner Bros. Entertainment Inc. v. Brian Biggs, Dawn Biggs, and Random Tuesday, Inc. et al.* United States District Court Central District of California. *Expert Report. Deposition.*

Class Action Matters

Ann Kenney, individually v. Fruit of the Earth, Inc., CVS Pharmacy, Inc. United States District Court Southern District of California. *Expert Report.*

Holly Blaine Vanzant, and Sherry Nevius, on behalf of themselves and all others similarly situated v. Hill's Pet Nutrition, Inc. and PetSmart, LLC.* United States District Court for the Northern District of Illinois. *Expert Report. Deposition.*

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2021

Intellectual Property Matters

Power Home Remodeling Group, LLC* v. Power Home Solar LLC d/b/a Powerhome Solar, also d/b/a Powerhome Solar & Roofing, also d/b/a Power Home Solar and Roofing. United States District Court Eastern District of Pennsylvania. *Expert Report.*

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Premier Specialty Brands LLC, d/b/a Kamado Joe v. Dansons US, LLC and Dansons, Inc. d/b/a Louisiana Grills.* United States District Court for the Northern District of Atlanta, Georgia Division. *Expert Report. Deposition.*

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Vivint Inc.* v. Alarm.com. United States District Court for the District of Utah. *Expert Report. Deposition*.

Class Action Matters

Kristen Schertzer, Meagan Hicks, Brittany Covell* v. Bank of America, N.A., Cardtronics, Inc., FCTI, Inc., Cash Depot, Ltd. And DOES 1-50. United States District Court Southern District of California. *Expert Report. Deposition*.

Warren Gross, Deborah Levin, Shelby Cooper, and Edward Buchanan v. Vilore Foods Company, Inc., Arizona Canning Company, LLC.* United States District Court Southern District of California. *Expert Report. Rebuttal Report. Deposition*.

Scott and Rhonda Burnett, Ryan Hendrickson, Jerod Breit, Scott Trupiano, and Jeremy Keel v. The National Association of Realtors, Realogy Holdings Corp., Homeservices of America, Inc., BHH Affiliates, LLC, HSF Affiliates, LLC, Re/Max LLC, and Keller Williams Realty, Inc.* United States District Court for the Western District of Missouri, Western Division. *Expert Report*.

In re: Marriott International, Inc., Customer Data Security Breach Litigation. United States District Court of Maryland, Southern Division. *Expert Report. Deposition*.

Christopher Julian et. al. v. TTE Technology, Inc., dba TCL North America.* United States District Court for the Northern District of California. *Expert Report*.

Kaylan Morris, et. al. v. Walmart Inc., f/k/a/ Wal-mart Stores Inc.* United States District Court, Northern District of Alabama, Southern Division. *Expert Report. Deposition. Class Certification Testimony*.

Ricardo R. Garcia, Duane K. Glover, Paul E. Jacobson, Gaetano Calise, Mykhalo I. Holovatyuk, Brian Garcia, Paul Thompson, and David Hartman* v. Volkswagen Group of America, Inc. a/k/a Audi of America, Inc. and Volkswagen Aktiengesellschaft. United States District Court for the Eastern District of Virginia, Alexandria Division. *Expert Report. Deposition.*

Charles Tillage and Joseph Loomis* v. Comcast Corporation and Comcast Cable Communications, LLC and Does 1-20. United States District Court for the Northern District of California, San Francisco Division. *Expert Report.*

Kathleen Ryan-Blaufuss, Cathleen Mills, and Khek Kuan v. Toyota Motor Corporation, Toyota Motor Sales, U.S.A., INC., and DOE Defendants 1-10.* United States District Court for the Central District of California, Western Division. *Expert Report. Deposition.*

H. Cristina Chen-Oster, Shanna Orlich, Allison Gamba, and Mary De Luis* v. Goldman Sachs & Co. and The Goldman Sachs Group, Inc. United States District Court for the Southern District of New York. *Expert Report. Deposition.*

Michael Testone, Collin Shanks, and Lamartine Pierre, et. al., v. Barlean's Organic Oils, LLC.* United States District Court Southern District of California. *Expert Report. Deposition.*

Susan Wang Rene Lee v. StubHub, Inc.* Superior Court of the State of California for the County of San Francisco. *Expert Report.*

Michael Madea and Rick Smith, et. al, v. Kennedy Endeavors, Inc.* United States District Court for the District of Hawai'i. *Expert Report. Deposition.*

Shelly Benson and Lisa Caparelli, et. al, v. Newell Brands, Inc.* United States District Court for the Northern District of Illinois. *Expert Report. Deposition.*

Thomas Bailey, et. al, v. Rite Aid Corporation.* United States District Court for the Northern District of California. *Expert Report. Deposition.*

2020

Intellectual Property Matters

What A Smoke, LLC v. Duracell U.S. Operations, Inc.* United States District Court District of New Jersey. *Expert Report. Deposition.*

Nirvana LLC v. Marc Jacobs International LLC.* United States District Court Central District of California. *Expert Report. Deposition.*

Girl Scouts of the United States of America* v. Boy Scouts of America. United States District Court Southern District of New York. *Expert Report. Deposition.*

American Dairy Queen Corporation v. W. B. Mason Co. Inc.* United States District Court for the District of Minnesota. *Expert Report. Deposition. Trial Testimony.*

Seven Networks, LLC v. Apple Inc.* United States District Court for the Eastern District of Texas Marshall Division. *Expert Report. Deposition.*

New NGC, Inc. d/b/a National Gypsum Company, NGC Industries, LLC, and National Gypsum Properties,* LLC v. Alpinebay, Inc. *Expert Report. Deposition. Trial Testimony.*

Glaxo Group Limited* v. Respirent Pharmaceuticals Co., LTD. United States District Court Southern District of New York. *Expert Report.*

Kaifi LLC v. AT&T Inc.; AT&T Corp.; AT&T Communications, LLC; AT&T Mobility, LLC; and AT&T Services, Inc.* United States District Court Eastern District of Texas Marshall Division. *Expert Report. Deposition.*

CFA Institute v. American Society of Pension Professionals & Actuaries, et. al.* United States District Court for the Western District of Virginia, Charlottesville Division. *Expert Report. Deposition.*

Match Group LLC* v. Bumble Trading Inc., Bumble Holding, LTD., Badoo Trading Limited, Magic Lab Co., Worldwide Vision Limited, Badoo Limited, Badoo Software Limited, and Badoo Technologies Limited. United States District Court for the Western District of Texas, Waco Division. *Expert Report. Deposition.*

ClearPlay, Inc. v. Dish Network, L.L.C. and Echostar Technologies, L.L.C.* United States District Court, District of Utah, Central Division. *Expert Report.*

Class Action Matters

Vicky Maldonado, et. al., v. Apple, Inc.* United States District Court, Northern District of California, San Francisco Division. *Expert Report. Deposition.*

Jason DeCarlo v. Costco Wholesale Corporation and MBNR.* United States District Court Southern District of California. *Expert Report.*

Javier Cardenas et al., Plaintiffs v. Toyota Motor Corporation et al., Defendants.* United States District Court Southern District of Florida. *Expert Report. Deposition. Trial Testimony.*

Brian Gozdenovich et al., v. AARP Inc., AARP Services, Inc., AARP Insurance Plan, UnitedHealth Group, Inc., and UnitedHealthCare Insurance Company.* United States District Court District of New Jersey. *Expert Report.*

Barbara Lewis, et al., v. Rodan & Fields, LLC.* United States District Court Northern District of California Oakland Division. *Expert Report. Deposition.*

Austin Rugg v. Johnson & Johnson Consumer Inc.* United States District Court Northern District of California San Jose Division. *Expert Report*.

Caryn Gorzo, et al., v. Rodan & Fields, LLC.* The Superior Court of California County of San Francisco. *Expert Report*.

Toya Edwards and Jamal Erakat, et al., v. Walmart, Inc.* United States District Court, Central District of California. *Expert Report. Deposition*.

Ohio State Troopers Association, Inc., et al., & Miguel Porras v. Point Blank Enterprises, Inc.* United States District Court, Southern District of Florida. *Expert Report. Deposition*.

Other Matters

TreeHouse Foods, Inc., Bay Valley Foods, LLC, and Strum Foods, Inc.,* v. Keurig Green Mountain, Inc. United States District Court for the Southern District of New York. *Expert Reports. Deposition*.

2019

Intellectual Property Matters

Sazerac Brands, LLC* v. Bullshine Distillery, LLC. In the United States Patent and Trademark Office Before the Trademark and Trial Appeal Board. Opposition No. 91227653. *Expert Report. Deposition*.

X One* v. Uber Technologies, Inc. United States District Court Northern District of California. *Expert Report. Deposition*.

NIKE, Inc. v. Skechers U.S.A., Inc.* United States District Court, Central District of California. *Expert Report. Deposition*.

Vital Pharmaceuticals, Inc. v. Monster Energy Company and Reign Beverage Company, LLC.* United States District Court Southern District of Florida. *Expert Report. Deposition*.

Mahindra & Mahindra, Ltd. and Mahindra Automotive North America, Inc.* v. FCA US LLC. United States District Court, Eastern District of Michigan. *Expert Report. Deposition. ITC Trial Testimony*.

Rex Real Estate I, L.P., v. Rex Real Estate Exchange, Inc.* United States District Court for the Eastern District of Texas, Sherman Division. *Expert Report*.

adidas America, Inc., et al. v. Forever 21 Inc., et al.* United States District Court District of Oregon Portland Division. *Expert Report*.

Lodestar Anstalt v. Bacardi & Company Limited, Bacardi U.S.A., Inc., and Bacardi Limited.* United States District Court Central District of California, Western Division. *Expert Report. Deposition.*

Class Action Matters

Paul Stockinger et al. v. Toyota Motor Sales, U.S.A., Inc.* United States District Court Central District of California. *Expert Report. Deposition.*

Thomas Allegra, et. al.* v. Luxottica Retail North America, d/b/a LensCrafters, United States District Court, Eastern District of New York, Brooklyn Division. Survey to evaluate consumers' willingness to pay for Accufit measurement system. *Expert Report. Deposition.*

Collin Shanks v. Jarrow Formulas, Inc.* United States District Court Central District of California. *Expert Report.*

Crystal Hilsley vs. Ocean Spray Cranberries, Inc.*, Arnold Worldwide LLC. United States District Court Western District Southern District of California. *Expert Report. Deposition.*

Erin Allen et al. v. Conagra Foods Inc.* United States District Court Northern District of California San Francisco Division. *Expert Report. Deposition.*

Riley Johannessohn, Daniel C. Badilla, James Kelley, Ronald Krans, Kevin R. Wonders, William Bates, James Pinion* v. Polaris Industries, Inc. United States District Court District of Minnesota. *Expert Report. Deposition.*

Other Matters

In re: Windstream Holdings, Inc., et al., Debtors. Windstream Holdings Inc., et. al.* v. Charter Communications, Inc. and Charter Communications Operating, LLC. United States Bankruptcy Court, Southern District of New York. Chapter 11, Case No. 19-22312 (RDD). *Expert Report.*

Belcher Pharmaceuticals, LLC v. Hospira, Inc.* United States District Court for the Middle District of Florida, Tampa Division. *Expert Report. Deposition.*

State of Washington* v. TVI, INC., d/b/a Value Village. State of Washington King County Superior Court. *Expert Report. Deposition. Trial Testimony.*

Obagi Cosmeceuticals LLC* v. ZO Skin Health, Inc. and Zein E. Obagi, M.D. JAMS Arbitration Proceeding. *Expert Report. Deposition. Arbitration Testimony.*

James Pudlowski, Louis C. Cross, III, Gail Henry, Steve Henry v. St. Louis Rams, LLC, St. Louis Rams Partnership, ITB Football Company, LLC.* *Expert Report.*

People of the State of California vs. The Hertz Corporation, American Traffic Solutions, Inc., ATS Processing Services, L.L.C., American Traffic Solutions Consolidated, L.L.C., PlatePass, L.L.C.* Deposition.

2018

Intellectual Property Matters

Spangler Candy Company vs. Tootsie Roll Industries, LLC.* United States District Court Northern District of Ohio Western Division Toledo. Expert Report. Deposition.

American Automobile Association of Northern California, Nevada & Utah and A3 Mobility LLC v. General Motors LLC and Maven Drive LLC.* United States District Court Northern District of California San Jose Division. Expert Report. Deposition.

Merck & Co., Inc., and Merck Sharp & Dohme Corp. v. Merck KGaA*. United States District Court District of New Jersey. Expert Report. Deposition.

MZ Wallace Inc. v. Sue Fuller, d/b/a/ The Oliver Thomas, and Black Diamond Group, Inc.* United States District Court Southern District of New York. Expert Report. Deposition.

Newmark Realty Capital, Inc.* v. BCG Partners, Inc. United States District Court Northern District of California San Jose Division. Expert Report. Deposition.

Advice Interactive Group, LLC* v. Web.Com Group, Inc. United States District Court for the Middle District of Florida Jacksonville Division. Expert Report. Deposition.

Global Brand Holdings, LLC* v. Church & Dwight Co., Inc. United States District Court Southern District of New York. Expert Report. Deposition.

Forever 21, Inc.* v. Gucci America, Inc., and Guccio Gucci S.p.A. United States District Court Central District of California Western Division. Expert Report. Deposition.

Masterbuilt Manufacturing, LLC v. Wal-Mart Stores, Inc.* United States District Court for the Middle District of Georgia Columbus Division. Expert Report. Deposition.

Strategic Partners, Inc.* v. Koi Design, LLC. United States District Court Central District of California. Expert Report.

Hard Rock Café International (USA), Inc., and Tarsadia Hotels v. RockStar Hotels, Inc.* United States District Court for the Southern District of Florida Fort Lauderdale Division. Expert Report.

Ghostbed, Inc. and Werner Media Partners, LLC d/b/a Nature's Sleep, LLC v. Casper Sleep, Inc., Red Antler, LLC and ICS, Inc.* United States District Court for the Southern District of Florida. Expert Report. Deposition.

Class Action Matters

Kaylee Browning and Sarah Basile v. Unilever United States, Inc.* United States District Court Central District of California. *Expert Report. Deposition.*

Scott R. Bernard v. Public Power, LLC.* In the Circuit Court of Cook County, Illinois County Department, Chancery Division. *Expert Report.*

Kristian Zamber v. American Airlines, Inc.* United States District Court Southern District of Florida Miami Division. *Expert Report. Deposition.*

Thomas Blitz v. Monsanto Company.* United States District Court Western District of Wisconsin. *Expert Report. Deposition.*

Other Matters

State of Washington* v. Johnson & Johnson, Ethicon, Inc. Ethicon US, LLC. King County Superior Court State of Washington. *Expert Report.*

Steven A. Conner DPM, P.C. v. Optum 360, LLC.* United States District Court Eastern District of Pennsylvania. *Expert Report. Deposition.*

State of Washington* v. Comcast Cable Communications Management, LLC, et. al. State of Washington King County Superior Court. *Expert Report. Deposition. Trial Testimony.*

Josephine James Edwards v. Hearst Communications, Inc.* United States District Court for the Southern District of New York. *Expert Report. Deposition.*

2017*Intellectual Property Matters*

Shelia Dashnaw, et. al. v. New Balance Athletics, Inc.* United States District Court Southern District of California. *Expert Report. Deposition.*

Tri-Union Seafoods, LLC v. Otis McAllister, Inc.* United States Patent and Trademark Office before the Trademark Trial and Appeal Board. *Expert Report.*

Michael Kors, L.L.C.* v. Chunma USA, Inc. United States District Court Central District of California. *Expert Report. Deposition.*

Weems Industries, Inc. v. Plews, Inc.* United States District Court for Northern District of Iowa, Cedar Rapids Division. *Expert Report. Deposition.*

Mars Incorporated and Mars, Petcare US, Inc. v. The J. M. Smucker Company and Big Heart Pet, Inc.* United States District Court for the Eastern District of Virginia. *Expert Report. Deposition.*

Professional Liability Insurance Services, Inc. v. U.S. Risk, Inc. and Crystal Jacobs.* United States District Court for Western District of Texas, Austin Division. *Expert Report. Deposition.*

Luxe Hospitality Company, Inc.* v. SBE Entertainment Group. United States District Court Central District of California. *Expert Report. Deposition.*

Class Action Matters

Martin Schneider, et. al. v. Chipotle Mexican Grill, Inc.* United States District Court Northern District of California. *Expert Report. Deposition.*

Trevor Singleton et. al. v. Fifth Generation, Inc. d/b/a Tito's Handmade Vodka.* United States District Court for the Northern District of New York. *Expert Report. Deposition.*

Other Matters

State of Arizona v. Volkswagen AG, et. al.* Superior Court of the State of Arizona – Maricopa County. *Expert Report.*

ADT LLC, and ADT US Holdings, Inc., v. Vivint, Inc.* United States District Court Southern District of Florida Palm Beach Division. *Expert Report. Deposition.*

* Retaining party

Publications and Presentations

“A tale of two cups: Acquired distinctiveness and survey evidence before the TTAB.” (May-June 2020), with Healey Whitsett. *The Trademark Reporter*.

“Survey response bias and the ‘privacy paradox’: Evidence from a discrete choice experiment.” (May, 2020), with Garrett Glasgow and Samantha Iyengar in *Applied Economics Letters*. DOI: 10.1080/13504851.2020.1770183.

NAD Panel – “Consumer Perception Survey Design Safeguards & Pitfalls.” National Advertising Division Annual Meeting, New York, NY (September, 2019).

INTA Panel – “Surveys in the Brave New World: Designing and Using Survey Evidence in the Age of Online Shopping, Influencers and Hashtags.” Annual Meeting, Boston MA (May, 2019).

“The value of non-personally identifiable information to consumers of online services: evidence from a discrete choice experiment,” (2016) with Garrett Glasgow in *Applied Economics Letters*, DOI: 10.1080/13504851.2016.1197357.

“Using Survey Methods to Demonstrate the Value of Personal Information and Privacy” (May 2015) *Panel on Privacy, Security and IRBs – American Association for Public Opinion Research*, Annual Meeting, Hollywood Florida.

“Battle of the Experts—Deploying the Proper Scientific Methodology for Supporting or Challenging Claims” (March 13, 2015) invited panelist at the *Advanced Forum on Resolving & Litigating Advertising Disputes*.

“Effective Use of Surveys in Trademark Litigation,” (August, 2014) *Knowledge Group Webinar*.

“The Use of Statistical Sampling Post-Duran,” (August, 2014) *Law360*.

“The Value of Personal Information to Consumers of Online Services: Evidence from a Discrete Choice Experiment,” (June 19, 2014). *National Economic Research, Inc.*

“An assessment of the nonmarket benefits of the Water Framework Directive for households in England and Wales,” with Metcalfe, Baker, Andrews, Atkinson, Bateman, Carson, East, Gueron, Sheldon and Train in *Water Resources Research*, 48:W10516. (Paper awarded Editor’s Choice Award for 2013).

ABA Webinar “The Use of Surveys in Advertising Substantiation” (June 23, 2011).

“Meeting the New Standards for Reasonable Royalties,” (February, 2011) with Mario Lopez. *Law360*.

“Survey Evidence in False Advertising Cases,” (Winter, 2010). *The Antitrust Trial Practice Newsletter*.

“The Use of Surveys in Litigation: Recent Trends,” (April, 2010) with Kent Van Liere. *National Economic Research Associates, Inc.*

“Emerging Issues in the Use of Surveys in Trademark Infringement on the Web,” with Kent Van Liere. Paper published in the *Advanced Trademark & Advertising Law Conference* proceedings, September 2007, Seattle, WA.

“An Analysis of the Hypothetical Situations in Willingness to Pay Studies.” Paper presented at the July 2006 Thematic Seminar “Quality Criteria in Survey Research,” hosted by World Association for Public Opinion Research, Lake Como, Italy.

“Use of Surveys in Intellectual Property Disputes,” (2005) with Eugene P. Ericksen, in *Economic Approaches to Intellectual Property Policy, Litigation and Management Issues*, Gregory K. Leonard and Lauren J. Stiroh (eds.) National Economic Research Associates, Inc.

“Response Rate Standards: Lessons from the 2004 Presidential Polls.” Paper presented at the 2005 Annual Meeting of American Association of Public Opinion Research, Miami Beach, FL.

“Using Surveys to Determine Damages in Patent Infringement Cases” presented at *Calculating and Proving Patent Damages* workshop, March 2004 Charlotte, NC.

“Using Surveys to Determine Damages in Patent Infringement Cases” presented at *Calculating and Proving Patent Damages* workshop, January 2004 San Diego, CA.

“Using Surveys to Determine Damages in Patent Infringement Cases” presented at *Calculating and Proving Patent Damages* workshop, June 2003, McLean, VA.

Professional Associations

Member, American Association of Public Opinion Research and World Association for Public Opinion Research, Member, American Statistical Association, Member, American Bar Association, Intellectual Property Section, Member, International Trademark Association (INTA), Reviewer for *Trademark Reporter*, Member, American Marketing Association.

Exhibit B

Exhibit B
Materials Considered

Court Documents

- First Amended Complaint, *NIKE, INC.*, v. *STOCKX, LLC*, United States District Court for the Southern District of New York, Case No. 1:22-cv-000983-VEC, dated May 25, 2022.
- Nike Interrogatory Response #22.

Expert Reports and Depositions

- Expert Report of John L. Hansen, dated May 5, 2023.
- First Amended Expert Report of John L. Hansen, dated May 30, 2023.

Survey Literature

- Diamond, S. S. (2011). "Reference Guide on Survey Research," *Reference Manual on Scientific Evidence*, Committee on the Development of the Third Edition of the Reference Manual on Scientific Evidence; Federal Judicial Center; National Research Council, pp. 359-423.
- Federal Judicial Center (2004). *Manual for Complex Litigation, Fourth Edition* §11.493, p. 103.

Websites

- <https://cf-assets-tup.thredup.com/luxe/faqs.pdf?v=20180706#:~:text=What%20does%20thredUP's%20LUXE%20quality,are%20no%20signs%20of%20counterfeit>
- <https://pages.ebay.com/authenticity-guarantee-seller/>
- https://poshmark.com/posh_authenticate
- <https://promotion.therealreal.com/therealreal-experts/>
- <https://stockx.com>
- <https://stockx.com/about/how-it-works/>
- <https://stockx.com/about/verification/>
- <https://stockx.com/sneakers>

- <https://support.flightclub.com/hc/en-us/articles/360037122132-HOW-IS-FLIGHT-CLUB-DIFFERENT-FROM-OTHER-FOOTWEAR-RETAILERS->
- <https://web.archive.org/web/20210427125053/https://stockx.com/>
- <https://web.archive.org/web/20220207163648/https://stockx.com/sneakers>
- <https://www.dynata.com/about-us/>
- <https://www.farfetch.com/faqs>
- <https://www.goat.com/verification>
- <https://www.google.com/recaptcha/about/>
- <https://www.grailed.com/trust/authentication>
- <https://www.insightsassociation.org/About-Us>
- <https://www.nytimes.com/2018/07/06/business/smallbusiness/stockx-sneakerheads-luxury-goods.html>
- <https://www.ssense.com/en-us/customer-service/product-info>
- <https://www.thredup.com/bg/p/acceptance-and-quality-standards>

Bates Documents

- NIKE0000016-NIKE0000017
- NIKE0000281-NIKE0000287
- NIKE0005790-NIKE0005795
- STX0805880
- STX0805895
- STX0805899

Exhibit C

From: Club Opinions
Sent: [DATE]
To: [PARTICIPANT]
Subject: We're dropping by with a new survey offer. Check it out!



null

Take the survey below and help influence future products.

START SURVEY

Your opinions are cherished at ClubOpinions.

We thought you might like this new survey. Check it out now!

Reward offer:

Average length: -- minutes

You can also access surveys by clicking on the following link:
[SURVEY URL]

Thank you for your participation!
The ClubOpinions Team

[Privacy Policy](#) | [Terms and Conditions](#) | [Unsubscribe](#) | [Contact](#)

You received this e-mail as a member of ClubOpinions. Please do not reply to this e-mail. For help [contact us](#).
ClubOpinions is a product of Dynata, LLC f/k/a Survey Sampling International, LLC, 6 Research Drive,
Shelton, Connecticut 06484 USA.

Exhibit D

Shoe Survey

[DO NOT ALLOW ROUTED SURVEY TRAFFIC] [PROGRAMMER: DISABLE RESUME LATER BUTTON FOR ENTIRE SURVEY]

[INTRO 1]: Thank you for your willingness to participate in our study. The responses you give to our questions are very important to us. If you don't know an answer to a question or if you don't have an opinion, please indicate this in your response. Do not guess. Your answers will only be used in the aggregate and your personal information will be kept confidential. The results of this study will not be used to try to sell you anything. When you are ready to get started, please click the ">" button.

S1. Before continuing with this survey, please carefully read these instructions:

- Please take this survey in one session.
- While taking this survey, please do not, at any time, open any other windows or tabs on this computer or device or any other computer or device.
- Please do not view any other written material while taking this survey.
- Please do not consult or talk with any person while taking this survey.
- You will not be able to go back to previous screens to change your answers.

1. I have read the above instructions, I understand them, and I will adhere to them.
2. I do not understand the above instructions, or I don't wish to agree to them.

[SCREEN OUT]

S2. What are you using to complete this survey?

1. Desktop computer
2. Laptop computer
3. Tablet computer
4. Mobile phone or cell phone **[CAP AT 50%]**
5. Other **[ANCHOR; SCREEN OUT]**

S3. Please verify that you are human. **[INSERT Re-CAPTCHA]**

[CLICK-BALANCE AGE, GENDER, AND REGION TO CENSUS DATA]

S4. Please select your age. **[PROVIDE DROP DOWN BOX WITH AGE]**

[INCLUDE IN DROP DOWN BOX] Prefer not to answer [SCREEN OUT]

[FLAG IF ANSWER DOES NOT MATCH PANEL DATA. SCREEN OUT IF NOT 18+]

- S5. Are you...? **[FLAG IF ANSWER DOES NOT MATCH PANEL DATA]**
1. Male
 2. Female
 3. Non-binary
 4. Prefer to self-describe: _____
 5. Prefer not to say
- S6. In which state do you currently reside? **[ALPHABETIZE CODES IN A DROP-DOWN BOX. INCLUDE “Outside of the U.S.” AND “Prefer not to answer”]**
- [IF S6=OUTSIDE OF THE U.S. OR PREFER NOT TO ANSWER, SCREEN OUT]**
- S7. Please enter your zip code. **[SCREEN OUT IF STATE & ZIP DO NOT MATCH]**
- S8. Since 2020, have you personally purchased any of the following? (*Select all that apply.*) **[RANDOMIZE 1-4]**
1. An antique
 2. Baseball or trading cards
 3. A pair of sneakers **[IF SELECTED, ASK S9, ELSE SKIP TO S10]**
 4. A piece of art
 5. None of these **[ANCHOR; EXCLUSIVE]**
- S9. You indicated that you purchased a pair of sneakers since 2020. From where have you purchased a pair of sneakers? (*Select all that apply.*) **[RANDOMIZE 1-5]**
1. At a swap meet or flea market
 2. At a brick-and-mortar retail store
 3. Through a third-party online marketplace (e.g., eBay or GOAT)
 4. Directly from a brand’s website (e.g., adidas.com or newbalance.com)
 5. Through a friend, relative, or neighbor
 6. None of these **[ANCHOR; EXCLUSIVE]**
- S10. In the next year, are you personally likely to purchase any of the following? (*Select all that apply.*) **[RANDOMIZE 1-4]**
1. An antique
 2. Baseball or trading cards
 3. A pair of sneakers **[IF SELECTED, ASK S11, ELSE SKIP TO QUALIFYING CRITERIA]**
 4. A piece of art
 5. None of these **[ANCHOR; EXCLUSIVE]**

S11. You indicated that you are likely to purchase a pair of sneakers in the next year. From where are you likely to purchase a pair of sneakers? (*Select all that apply.*)

[RANDOMIZE 1-5]

1. At a swap meet or flea market
2. At a brick-and-mortar retail store
3. Through a third-party online marketplace (e.g., eBay or GOAT)
4. Directly from a brand's website (e.g., adidas.com or newbalance.com)
5. Through a friend, relative, or neighbor
6. None of these [ANCHOR; EXCLUSIVE]

[QUALIFYING CRITERIA: RESPONDENT MUST SELECT "THROUGH A THIRD-PARTY ONLINE MARKETPLACE (E.G., EBAY OR GOAT)" IN S9 OR S11. OTHERWISE, SCREEN OUT.]

S12. Of the following third-party online marketplace websites [IF S9R3=1 PIPE: which, if any, did you purchase a pair of sneakers from since 2020/IF S11R3=1 PIPE: you are aware of, which, if any, would you consider purchasing a pair of sneakers from; IF BOTH S9R3 AND S11R3=1 PIPE: you are aware of, which, if any, did you purchase a pair of sneakers from since 2020 and/or would you consider purchasing a pair of sneakers from]? (*Select all that apply.*) [RANDOMIZE 1-12]

1. stockx.com
2. poshmark.com
3. ssense.com
4. thredup.com
5. farfetch.com
6. goat.com
7. realreal.com
8. eBay.com
9. grailed.com
10. flightclub.com
11. depop.com
12. thegrid.com [FLAG]
13. Other (*Please specify*) [INSERT TEXT BOX; DO NOT ALLOW BLANK IF SELECTED]
14. None of these [ANCHOR; EXCLUSIVE]
15. Don't know / unsure [ANCHOR; EXCLUSIVE]

[IF S12R1=1, CONTINUE, ELSE SCREEN OUT]

S13. Approximately how many times each week, if at all, do you do each of the following?
(Select one response per row.)

	Never or less than 1 time each week	1 time each week	2 times each week	3 times each week	4 times each week	5 times each week	More than 5 times each week	Don't know / unsure
Watch a professional sports event either at home or in person	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Engage in strenuous activity for 30 minutes or more	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Watch a full-length movie	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Please select [PIPE RANDOM NUMBER 2 – 5] times each week for this item	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Go out to eat in a restaurant	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Attend a live music or theatre concert	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Go to a bar or club	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

[IF S13R4 = PIPED NUMBER, CONTINUE, OTHERWISE SCREEN OUT]

[BASE: QUALIFIED RESPONDENTS; ASSIGN TO TEST OR CONTROL]

[MAIN SURVEY INTRO]

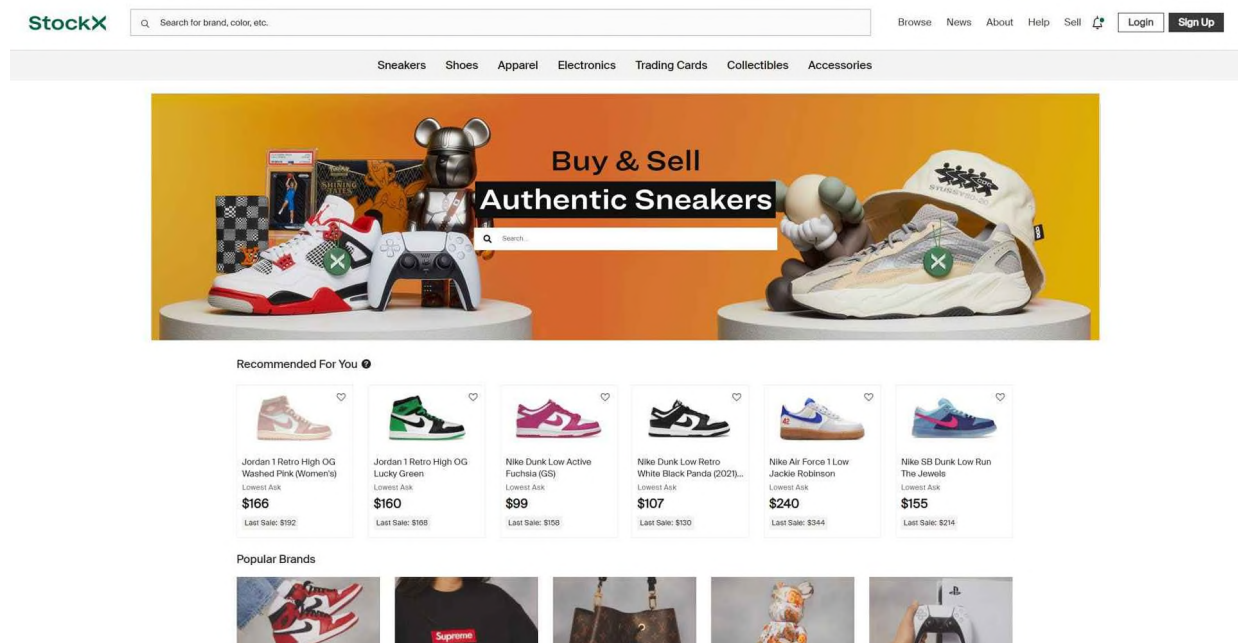
[INTRO 2] Thank you for participating in today's survey. If you do not know or do not have an opinion about any of the questions, please select "Don't know / unsure." Please do not guess. Click ">" to proceed.

[NEW SCREEN]**[INCLUDE 10 SECOND DELAY FOR ALL PAGES WITH IMAGES]**

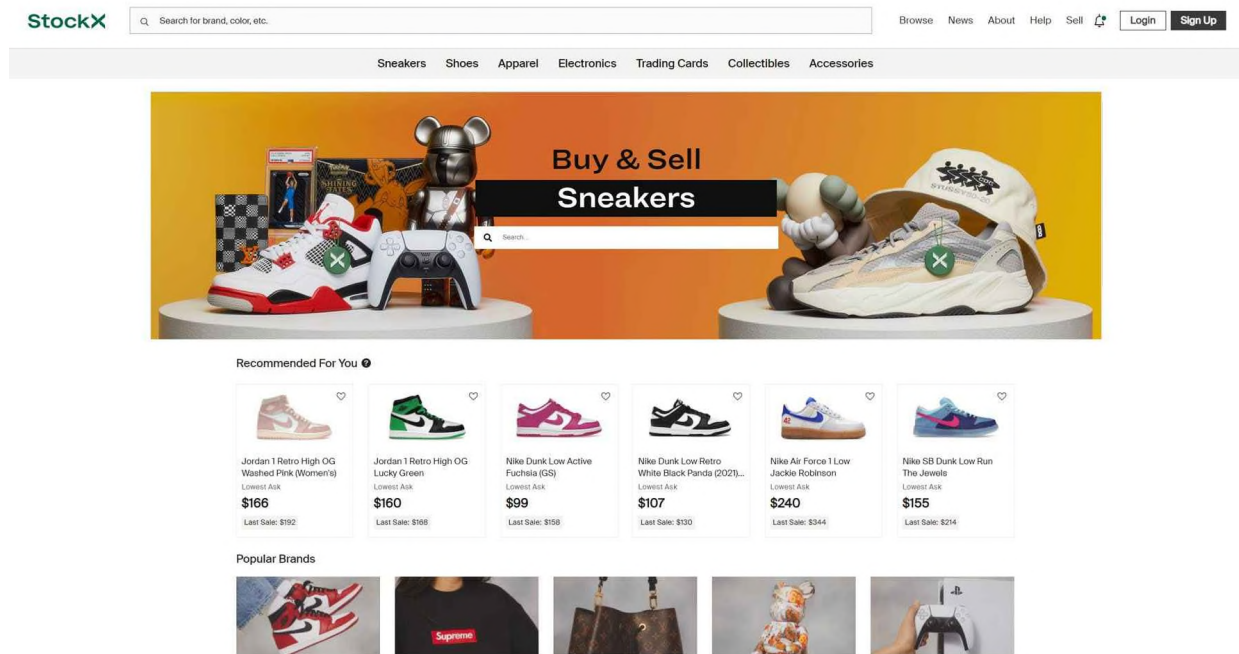
[INTRO 3] Please imagine you are shopping for a pair of sneakers. We are going to show you a series of webpages in this survey that you might encounter when shopping for sneakers. After reviewing the webpages, you will be asked some questions. Please note that there will be a delay on each page to ensure that the webpages load properly.

[NEW SCREEN]**[INTRO 4]**

Please select the ">" button at the bottom of the screen when you are ready to proceed.

[TEST PAGE #1 – HOMEPAGE]

[CONTROL PAGE #1 – HOMEPAGE]

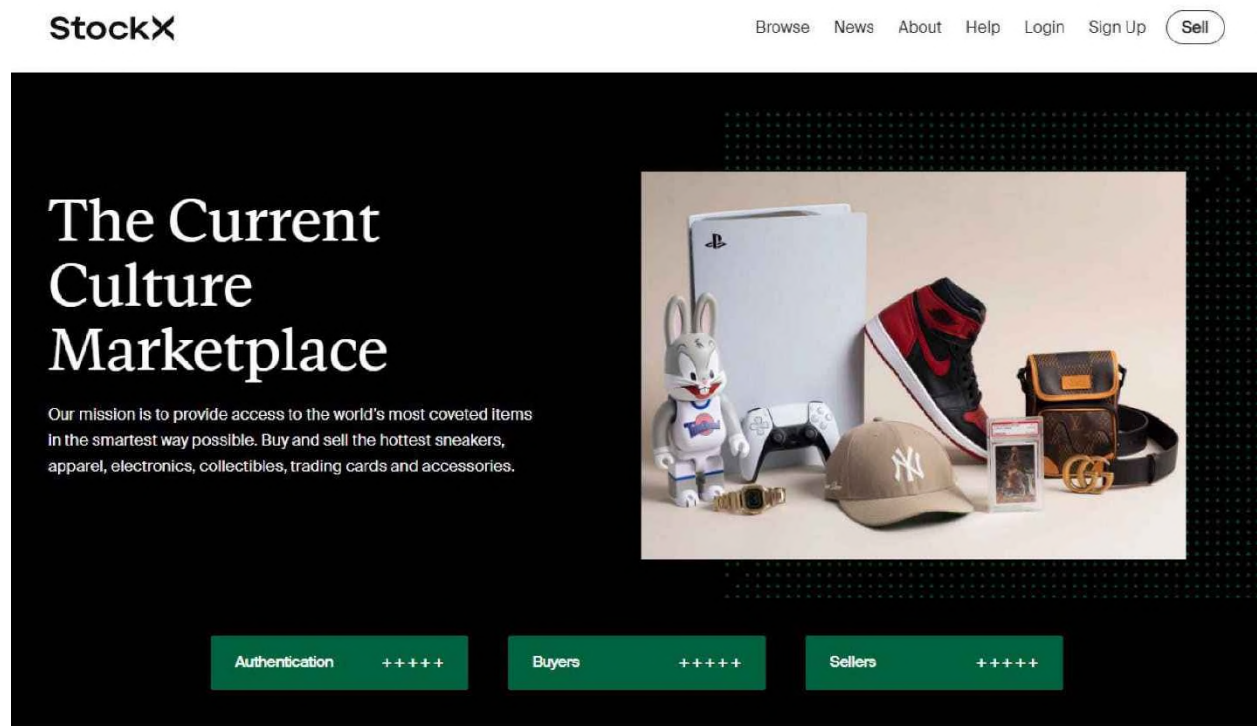


[NEW SCREEN – PROGRAM 10 SECOND DELAY BEFORE MAY CONTINUE]

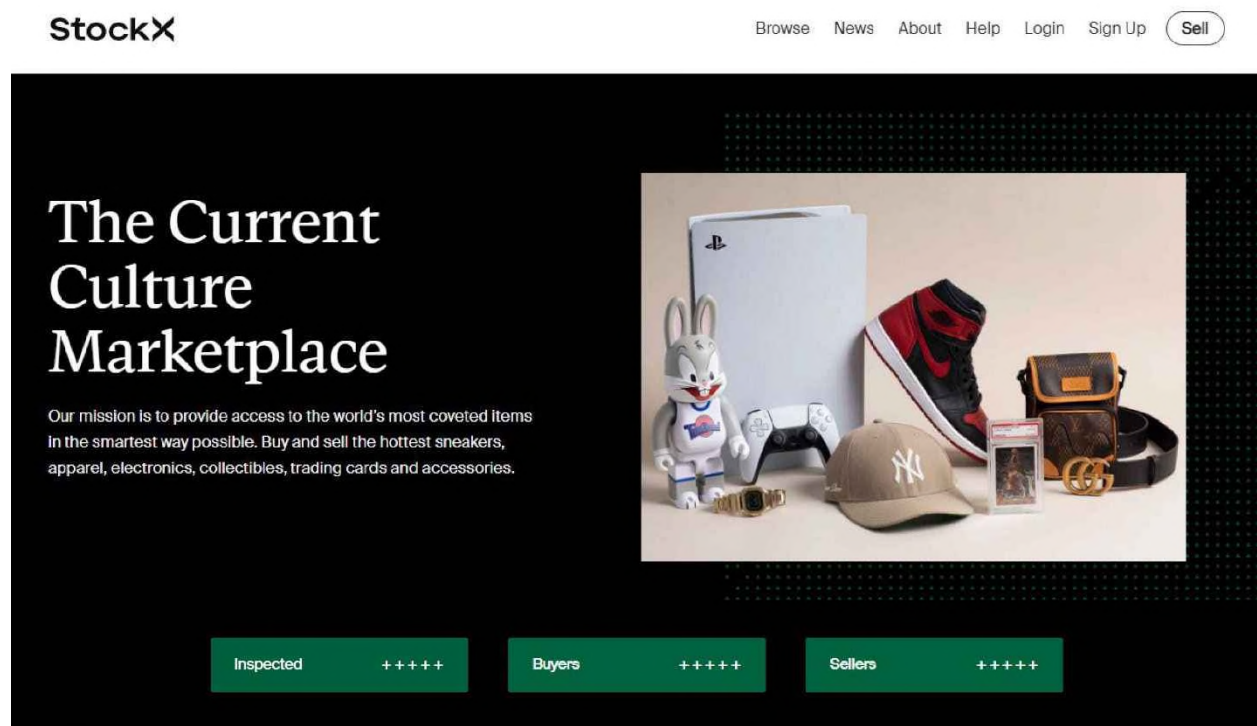
[INTRO 5]

Please select the “>” button at the bottom of the screen when you are ready to proceed.

[TEST PAGE #2 – “HOW IT WORKS” PAGE]



[CONTROL PAGE #2 – “HOW IT WORKS” PAGE]

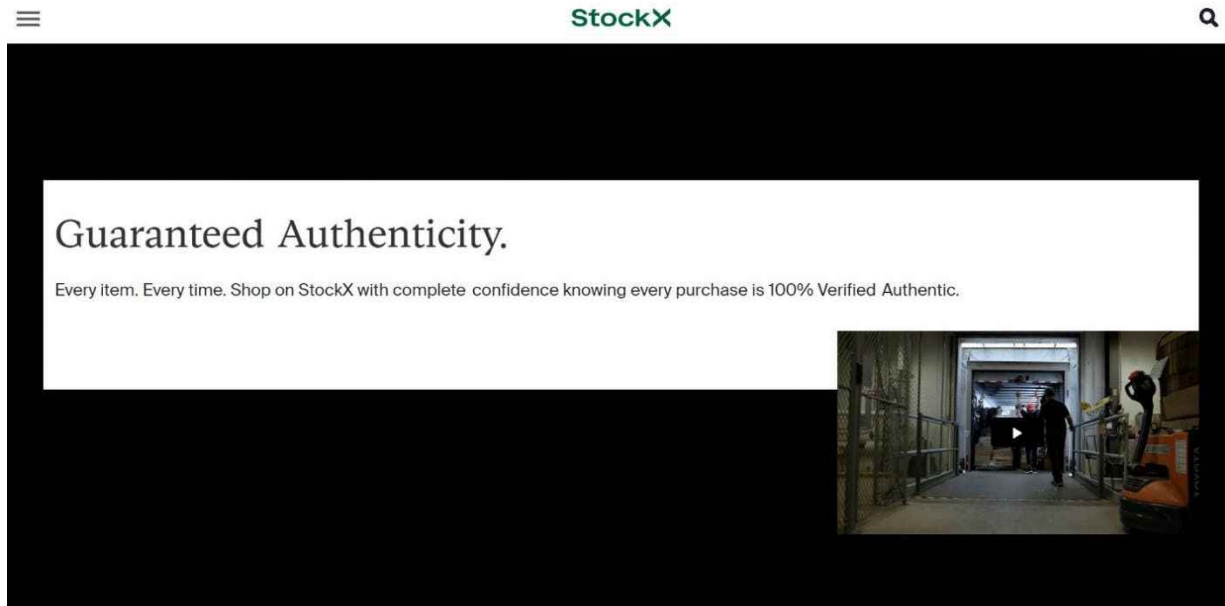


[NEW SCREEN – PROGRAM 10 SECOND DELAY BEFORE MAY CONTINUE]

[INTRO 6]

Please select the “>” button at the bottom of the screen when you are ready to proceed.

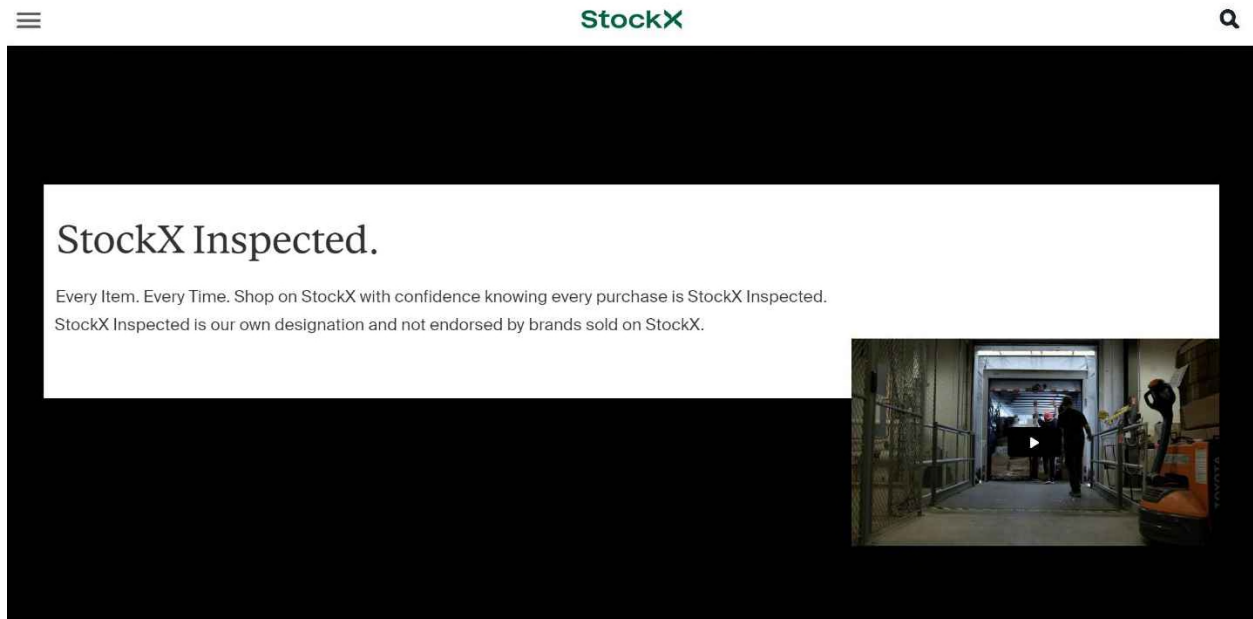
[TEST PAGE #3 – PROCESS PAGE]



Trust The Process

Our global team of expert authenticators uses a rigorous, multi-step verification procedure that includes the following checkpoints:

[CONTROL PAGE #3 – PROCESS PAGE]



Trust The Process

Our global team of inspectors uses a rigorous, multi-step inspection procedure that includes the following checkpoints:

[NEW SCREEN – PROGRAM 10 SECOND DELAY BEFORE MAY CONTINUE]

[INTRO 7]

Please select the “>” button at the bottom of the screen when you are ready to proceed.

[TEST PAGE #4 – SNEAKERS PAGE]

[Browse](#)
[News](#)
[About](#)
[Help](#)
[Sell](#)
[Login](#)
[Sign Up](#)

Sneakers

On StockX, every sneaker you want is always available and authentic. Buy and sell new sneakers & shoes from Air Jordan, adidas, Nike, Yeezy and more!

APPAREL
ELECTRONICS
TRADING CARDS
COLLECTIBLES
ACCESSORIES

TRENDING DEALS
BELOW RETAIL

ADIDAS
AIR JORDAN
CONVERSE
NEW BALANCE
NIKE
PUMA
REEBOK
VANS
YEEZY
LUXURY BRANDS
OTHER BRANDS
COLLECTIONS

SIZE TYPES

Jordan 1 Retro High OG Washed Pink (Women's)
Lowest Ask
\$166

Nike Ja 1 Day One
Lowest Ask
\$144

Jordan 4 Retro Thunder (2023)
Lowest Ask
\$248

Nike SB Dunk Low Run The Jewels
Lowest Ask
\$155

Jordan 1 Retro Low OG SP Travis Scott Olive (Women's)
Lowest Ask
\$450

Jordan 3 Retro Wizards
Lowest Ask
\$180

Nike Dunk Low Retro White Black Panda (2021)
Lowest Ask
\$105

Nike Dunk Low Retro White Black Panda (2021) (Women's)
Lowest Ask
\$107

Nike Dunk Low Retro White Black Panda (2021) (GS)
Lowest Ask
\$88

Nike Air Force 1 Low '07 White
Lowest Ask
\$84

Nike Dunk Low Industrial Blue Sashiko
Lowest Ask
\$100

Nike Dunk Low Grey Fog
Lowest Ask
\$127

[CONTROL PAGE #4 – SNEAKERS PAGE]

[Browse](#)
[News](#)
[About](#)
[Help](#)
[Sell](#)
[Login](#)
[Sign Up](#)

Sneakers

On StockX, every sneaker you want is always available. Buy and sell new sneakers & shoes from Air Jordan, adidas, Nike, Yeezy and more!

APPAREL
ELECTRONICS
TRADING CARDS
COLLECTIBLES
ACCESSORIES

TRENDING DEALS
BELOW RETAIL

ADIDAS
AIR JORDAN
CONVERSE
NEW BALANCE
NIKE
PUMA
REEBOK
VANS
YEEZY
LUXURY BRANDS
OTHER BRANDS
COLLECTIONS

Jordan 1 Retro High OG Washed Pink (Women's)
Lowest Ask
\$166

Nike Ja 1 Day One
Lowest Ask
\$144

Jordan 4 Retro Thunder (2023)
Lowest Ask
\$248

Nike SB Dunk Low Run The Jewels
Lowest Ask
\$155

Jordan 1 Retro Low OG SP Travis Scott Olive (Women's)
Lowest Ask
\$450

Jordan 3 Retro Wizards
Lowest Ask
\$180

Nike Dunk Low Retro White Black Panda (2021)
Lowest Ask
\$105

Nike Dunk Low Retro White Black Panda (2021) (Women's)
Lowest Ask
\$107

Nike Dunk Low Retro White Black Panda (2021) (GS)
Lowest Ask
\$88

Nike Air Force 1 Low '07 White
Lowest Ask
\$84

Nike Dunk Low Industrial Blue Sashiko
Lowest Ask
\$100

Nike Dunk Low Grey Fog
Lowest Ask
\$127

[NEW SCREEN – PROGRAM 10 SECOND DELAY BEFORE MAY CONTINUE]

[INTRO 8]


Please select the “>” button at the bottom of the screen when you are ready to proceed.

[TEST PAGE #5 – NIKE DUNK LOW PRODUCT DESCRIPTION PAGE]

StockX

[Browse](#) [News](#) [About](#) [Help](#) [My Account](#) [Sell](#)

[Home](#) / [Sneakers](#) / [Nike](#) / [Dunk](#) / [Low](#) / [Nike Dunk Low Retro White Black \(2021\)](#)



Nike Dunk Low
Retro White Black (2021)

100% Authentic Condition: New

Size: All

Buy For \$265

Place Bid

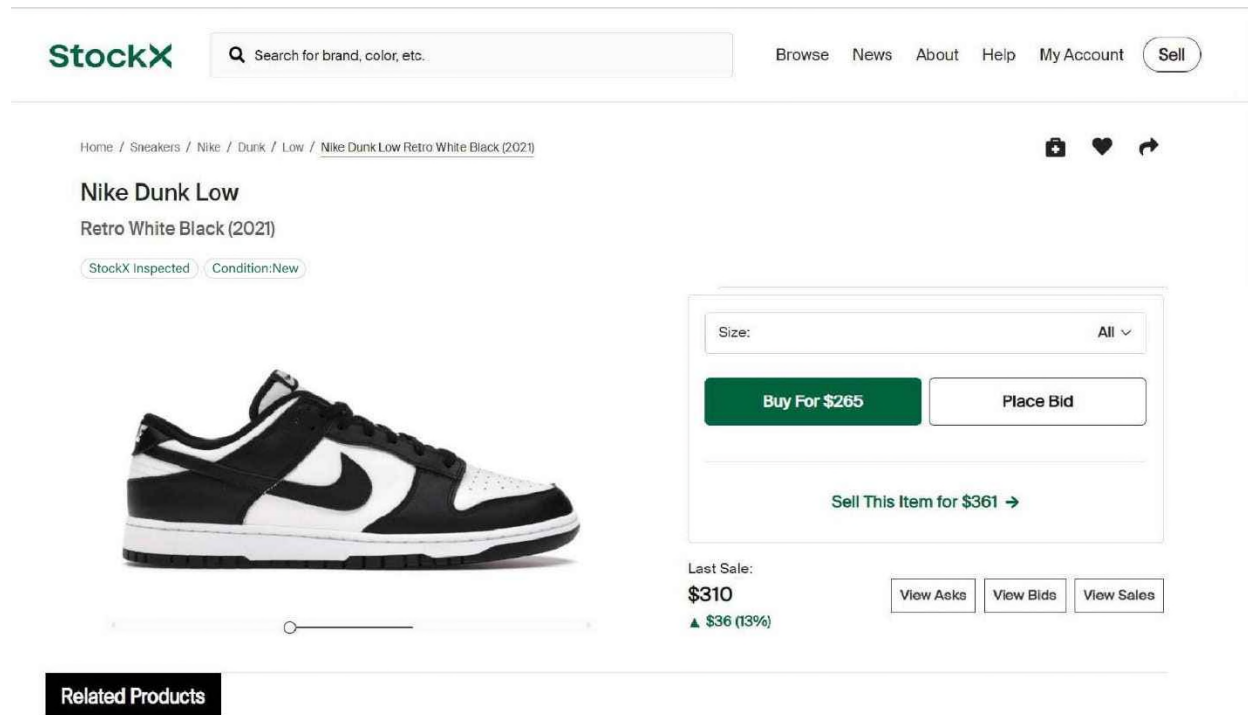
Sell This Item for \$361 →

Last Sale:
\$310
▲ \$36 (13%)

[View Asks](#) [View Bids](#) [View Sales](#)

Related Products

[CONTROL PAGE #5 – NIKE DUNK LOW PRODUCT DESCRIPTION PAGE]



[NEW SCREEN – PROGRAM 10 SECOND DELAY BEFORE MAY CONTINUE]

Q1. Were you able to see the webpages clearly?

[RANDOMIZE 1 AND 2]

1. Yes
2. No [SCREEN OUT]
3. Don't know / unsure [SCREEN OUT]

[NEW SCREEN]

[FOR Q2 AND Q3 DISPLAY THE WEBPAGES AS THUMBNAILS WITH INSTRUCTION “Please [IF MOBILE: tap / IF COMPUTER: click] on a webpage to review it fully. When you are finished reviewing the webpage, [IF MOBILE: tap / IF COMPUTER: click] anywhere on the screen to exit.”]

Q2. Based on the information you reviewed, and using the scale below, how likely would you be to use this website to purchase a pair of sneakers? [RANDOMIZE END-POINTS 1 – 7/7-1: HIGHER NUMBERS ALWAYS INDICATE HIGHER LIKELIHOOD]

Extremely unlikely			Neither likely nor unlikely			Extremely likely
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
1	2	3	4	5	6	7

1. Don't know / unsure

[IF DON'T KNOW/UNSURE SELECTED, SKIP TO S14]

- Q3. What makes you say that your likelihood of using this website to purchase a pair of sneakers would be **[PIPE IN NUMBER FROM Q2]** on the 7-point scale (with 1 = Very unlikely and 7 = Extremely likely)? *(Please type in your response.)*

[INSERT TEXT BOX AND CHECK BOX FOR “Don't know / unsure” DO NOT ALLOW BLANK UNLESS CHECK BOX SELECTED]

[NEXT PAGE]

We have just a few final questions for you!

[NEXT PAGE]

- S14. Do you or do any members of your household work for any of the following?

(Select all that apply.) **[RANDOMIZE 1-6]**

1. A market research or advertising company **[FLAG]**
2. A company that makes or manufactures shoes **[FLAG]**
3. An online retailer **[FLAG]**
4. A grocery store
5. A pharmacy
6. A car dealership
7. None of these **[ANCHOR; EXCLUSIVE]**
8. Don't know / unsure **[ANCHOR] [FLAG]**

- S15. In the past month, have you taken any surveys on the following topics?

(Select all that apply.) **[RANDOMIZE 1-5]**

1. Sneakers **[FLAG]**
2. Online shopping **[FLAG]**
3. Grocery stores
4. Pharmacies
5. New car purchasing
6. None of these **[ANCHOR; EXCLUSIVE]**

7. Don't know / unsure [ANCHOR] [FLAG]

S16. Are you aware of any lawsuits involving StockX? [RANDOMIZE 1 AND 2]

1. Yes
2. No [GO TO END]
3. Don't know / unsure [GO TO END]

S17. Please describe what the lawsuit involving StockX is about in your own words. (*Please type in your response.*)

[INSERT TEXT BOX; DO NOT ALLOW BLANK]

END: Thank you for your participation. Those are all the questions we have for you today!

Exhibit E

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Shoe Survey Desktop Screenshots

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Thank you for your willingness to participate in our study. The responses you give to our questions are very important to us. If you don't know an answer to a question or if you don't have an opinion, please indicate this in your response. Do not guess. Your answers will only be used in the aggregate and your personal information will be kept confidential. The results of this study will not be used to try to sell you anything. When you are ready to get started, please click the ">" button.

>

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Before continuing with this survey, please carefully read these instructions:

- Please take this survey in one session.
- While taking this survey, please do not, at any time, open any other windows or tabs on this computer or device or any other computer or device.
- Please do not view any other written material while taking this survey.
- Please do not consult or talk with any person while taking this survey.
- You will not be able to go back to previous screens to change your answers.

- ☐ I have read the above instructions, I understand them, and I will adhere to them.
- ☐ I do not understand the above instructions, or I don't wish to agree to them.

>

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What are you using to complete this survey?

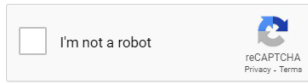
- ☐ Desktop computer
- ☐ Laptop computer
- ☐ Tablet computer
- ☐ Mobile phone or cell phone
- ☐ Other

>

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Please verify that you are human.



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Please select your age.



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Are you...?

- ☐ Male
- ☐ Female
- ☐ Non-binary
- ☐ Prefer to self-describe
- ☐ Prefer not to say

>

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In which state do you currently reside?



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Please enter your zip code.

>

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Since 2020, have you personally purchased any of the following?

(Select all that apply.)

- ☐ Baseball or trading cards
- ☐ A piece of art
- ☐ A pair of sneakers
- ☐ An antique
- ☐ None of these

>

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You indicated that you purchased a pair of sneakers since 2020. From where have you purchased a pair of sneakers?

(Select all that apply.)

- ☐ Through a third-party online marketplace (e.g., eBay or GOAT)
- ☐ Directly from a brand's website (e.g., adidas.com or newbalance.com)
- ☐ At a brick-and-mortar retail store
- ☐ At a swap meet or flea market
- ☐ Through a friend, relative, or neighbor
- ☐ None of these

>

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In the next year, are you personally likely to purchase any of the following?

(Select all that apply.)

- ☐ A pair of sneakers
- ☐ An antique
- ☐ A piece of art
- ☐ Baseball or trading cards
- ☐ None of these

>

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You indicated that you are likely to purchase a pair of sneakers in the next year. From where are you likely to purchase a pair of sneakers?

(Select all that apply.)

- ☐ Through a third-party online marketplace (e.g., eBay or GOAT)
- ☐ Directly from a brand's website (e.g., adidas.com or newbalance.com)
- ☐ At a brick-and-mortar retail store
- ☐ Through a friend, relative, or neighbor
- ☐ At a swap meet or flea market
- ☐ None of these

>

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Case 1:22-cv-00983-VEC Document 204-15 Filed 10/20/23 Page 88 of 106

Of the following third-party online marketplace websites you are aware of, which, if any, did you purchase a pair of sneakers from since 2020 and/or would you consider purchasing a pair of sneakers from?

(Select all that apply.)

☐ poshmark.com

☐ goat.com

☐ ssense.com

☐ depop.com

☐ flightclub.com

☐ grailed.com

☐ realreal.com

☐ farfetch.com

☐ eBay.com

☐ thredup.com

☐ thegrid.com

☐ stockx.com

☐ Other *(Please specify)*

☐ None of these

☐ Don't know / unsure

>

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Approximately how many times each week, if at all, do you do each of the following?

(Select one response per row.)

	Never or less than 1 time each week	1 time each week	2 times each week	3 times each week	4 times each week	5 times each week	More than 5 times each week	Don't know / unsure
Watch a professional sports event either at home or in person	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Engage in strenuous activity for 30 minutes or more	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Watch a full-length movie	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Please select 2 times each week for this item	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Go out to eat in a restaurant	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Attend a live music or theatre concert	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Go to a bar or club	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



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Thank you for participating in today's survey. If you do not know or do not have an opinion about any of the questions, please select "Don't know / unsure." Please do not guess. Click ">" to proceed.



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Case 1:22-cv-00983-VEC Document 204-15 Filed 10/20/23 Page 91 of 106

Please imagine you are shopping for a pair of sneakers. We are going to show you a series of webpages in this survey that you might encounter when shopping for sneakers. After reviewing the webpages, you will be asked some questions. Please note that there will be a delay on each page to ensure that the webpages load properly.

A green rectangular button with a white right-pointing arrow, likely a navigation or next button.

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Test Group

Please select the ">" button at the bottom of the screen when you are ready to proceed.







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StockX [Browse](#) [News](#) [About](#) [Help](#) [Sell](#) [Login](#) [Sign Up](#)






[Sneakers](#) [Shoes](#) [Apparel](#) [Electronics](#) [Trading Cards](#) [Collectibles](#) [Accessories](#)

Buy & Sell Authentic Sneakers







Recommended For You

 <p>Jordan 1 Retro High OG Washed Pink (Women's)</p> <p>Lowest Ask: \$166</p> <p>Last Sale: \$150</p>	 <p>Jordan 1 Retro High OG Lucky Green</p> <p>Lowest Ask: \$160</p> <p>Last Sale: \$158</p>	 <p>Nike Dunk Low Active Fuchsia (GS)</p> <p>Lowest Ask: \$99</p> <p>Last Sale: \$105</p>	 <p>Nike Dunk Low Retro White Black Panda (2021)</p> <p>Lowest Ask: \$107</p> <p>Last Sale: \$120</p>	 <p>Nike Air Force 1 Low Jackie Robinson</p> <p>Lowest Ask: \$240</p> <p>Last Sale: \$244</p>	 <p>Nike SB Dunk Low Run The Jewels</p> <p>Lowest Ask: \$155</p> <p>Last Sale: \$154</p>
--	--	--	--	--	---

Popular Brands






				
Jordan	Supreme	Louis Vuitton	Bearbrick	PS5

Trending Sneakers


 <p>Jordan 1 Retro High OG Washed Pink (Women's)</p> <p>Lowest Ask: \$166</p> <p>2795 sold</p>	 <p>Nike Ja 1 Day One</p> <p>Lowest Ask: \$144</p> <p>3001 sold</p>	 <p>Jordan 4 Retro Thunder (2023)</p> <p>Lowest Ask: \$248</p> <p>1700 sold</p>	 <p>Nike SB Dunk Low Run The Jewels</p> <p>Lowest Ask: \$155</p> <p>2095 sold</p>	 <p>Jordan 1 Retro Low OG SP Travis Scott Olive</p> <p>Lowest Ask: \$450</p> <p>775 sold</p>	 <p>Jordan 3 Retro Wizards</p> <p>Lowest Ask: \$180</p> <p>361 sold</p>
--	---	---	---	--	---


As Seen On Instagram

Use #GottOnStockX and you could be featured.

				
---	---	---	---	--


Case 1:22-cv-00983-VEC Document 240-15 Filed 07/03/24 Page 94 of 106





Best Artist Merch
Featuring Favorites Like
Travis Scott, The Weeknd & NAV






Shop Now




Nike Dunks Under \$100

Shop Now


Popular Footwear Brands


Featured Apparel




Nike x Hologramme G- Dragon Wide Pants Black
Lowest Price: \$150
Buy Now




Nike Sportswear Tech Fleece Full-Zip Hoodie, Purple
Lowest Price: \$100
Buy Now




Zigzag Web Hoodie Purple
Lowest Price: \$177
Buy Now



Fear of God Essentials Relaxed Sweatpants, Green
Lowest Price: \$118
Buy Now




Travis Scott x Jordan x Fragment Hoodie Black
Lowest Price: \$120
Buy Now




Holo Hologramme FF Holo Short Black Skyline
Lowest Price: \$170
Buy Now


Featured Accessories




Louis Vuitton LV x YK Speedy Handtrunk 20, Red
Lowest Price: \$3,080
Last Sale: \$3,047




Bottega Veneta Jodie Mini Intrecciato Parasol
Lowest Price: \$1,435
Last Sale: \$1,260




Saint Laurent Le 5 A 7 Hobo Bag in Smooth, Black
Lowest Price: \$2,307
Last Sale: \$2,175



Louis Vuitton Micro Vanity Heavy Lisc
Lowest Price: \$2,426
Last Sale: \$2,426




LOEWE Puzzle Edge Bag in Satin Calfskin Small, Yellow
Lowest Price: \$2,571
Last Sale: \$2,571



Gucci Aphrodite Shoulder Bag Small Light Pink
Lowest Price: \$1,509
Last Sale: \$1,509

50% Off Seller Fees



Case 1:22-cv-00983-VEC Document 294-15 Filed 10/20/23 Page 95 of 106

Make More on the New Women's AJ1
 Sell & Buy Now

Electronics Spotlight

<p>Apple AirPods Pro (2nd Gen) (2022) M20K3M/A... Lowest Ask: \$194 1839 sold</p>	<p>Flopper Zero Portable Bluetooth White Lowest Ask: \$203 3425 sold</p>	<p>Sony PlayStation 5 PS5 Blu-ray Edition God of War... Lowest Ask: \$497 1545 sold</p>	<p>Finalmouse The Last Legend Wireless Mouse... Lowest Ask: \$240 1367 sold</p>	<p>Razer Viper Mini Signature Edition Wireless Mouse... Lowest Ask: \$434 29 sold</p>	<p>Finalmouse Starlight 12 Footcandle Wireless Mouse... Lowest Ask: \$199 189 sold</p>
--	---	--	--	--	---

Seasonal Favorites

T-Shirts	Hoodies	Women's Shoes	Bags	Gaming

Collectibles Staff Picks

<p>Hot Wheels RLC Exclusive Pink 1:64th Scale Nissan... Lowest Ask: \$90 219 sold</p>	<p>Stussy 8-Ball Rag Black & White Lowest Ask: \$119 100 sold</p>	<p>Frank Ocean Blonde ZKLP Vinyl Black Lowest Ask: \$169 400 sold</p>	<p>Microsoft Xbox Series X Mini Fridge (US Plug 1.5L... Lowest Ask: \$99 1875 sold</p>	<p>Monopoly Premier NBA Edition Game 4x1 of Lowest Ask: \$180 9 sold</p>	<p>LEGO Disney 'Up' House Ref. 4327 Lowest Ask: \$57 100 sold</p>
--	--	--	---	---	--

Featured Trading Cards

<p>Bandai One Piece Card Game Paramount War... Lowest Ask: \$191 509 sold</p>	<p>2020 Panini Select Football Mojo Box (Red)... Lowest Ask: \$202 65 sold</p>	<p>2022-23 Panini NBA Hoops Basketball Hobby... Lowest Ask: \$125 115 sold</p>	<p>2022-23 Panini Donruss Elite Basketball Hobby... Lowest Ask: \$230 38 sold</p>	<p>Bandai One Piece Card Game Paramount War... Lowest Ask: \$87 76 sold</p>	<p>Pokemon TCG Secret & Shiny Crown Zenith Diso... Lowest Ask: \$118 10 sold</p>
--	---	---	--	--	---

Over 8,000 Sold
 Shop the Xbox Mini Fridge
 Shop Now

ASICS Under \$200
 Deals on Favorites Like the Gel-Kayano 14, Gel-Nimbus 9 & EXB9

Case 1:22-cv-00983-VEC Document 240-15 Filed 07/03/24 Page 96 of 106

Shop Now

Browse More Brands

Pokemon yeezy LEGO Apple Gucci Off-White

Hot Bearbricks See All

Bearbrick Series 44 Sealed Case 1000% (24...
1 sealed box
\$115
2279 sold

Bearbrick Series 46 Sealed Case 1000% (24...
1 sealed box
\$100
977 sold

Bearbrick Garfield 1000% Gold Chrome Ver.
1 sealed box
\$365
388 sold

Bearbrick x Andy Warhol x JEAN-MICHEL BASQUIAT
1 sealed box
\$84
809 sold

Bearbrick Batman Hush Ver. 1000% & 4000% Set
1 sealed box
\$88
287 sold

Bearbrick x Care Bears Cheer Bear Costume Ver...
1 sealed box
\$69
271 sold

Release Calendar See All

Apr | 25
Vone S1FD Specialized Crystal Brick Bright Orange
Ask Bid

Apr | 25
Vone S1FA Minibody Volt
▼ Ask: \$193
Ask Bid

Apr | 25
Vone S1V Zig Rhinestone Huddle Black
Ask Bid

Apr | 25
Vone Architect pencil Hard Hat Orange
Ask Bid

Apr | 25
Vone Rainier Supplies S/S T-Shirt Orange
Ask Bid

Apr | 25
Vone A110 Mountain Fly 2 Low White Bright Random
▼ Ask: \$141
Ask Bid

From The Magazine View All News Articles

Parisian Creative Aude-Julie Is Built Different
Jamie Delaney • 04/21/2023

What To Wear: Festival Season
Chloe Pan • 04/21/2023

Drop List 04-17-23
Jamie Delaney • 04/21/2023

Perfect Pairings: Luxury for Spring
Ja'Quia Mustafa • 04/20/2023

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What Moms Want

Chloe Pan • 04/16/2023

Steph Curry & Under Armour

Ehsadj Mare • 04/16/2023

Gorpcore Essentials

Ehsadj Mare • 04/15/2023

Common Projects: Brand Spotlight

Ehsadj Mare • 04/11/2023

StockX. Access the Now.

Air Jordan

Air Jordan 1

Air Jordan Retro 6 Date

Women's Jordans

Air Jordan 11

Air Jordan 4

Jordan 1 Mid

Yeezy

Yeezy Boost 280

Yeezy Boost 280 12

Yeezy Boost 700

Yeezy Boosts

Yeezy Slides

Yeezy Foam RNNR

Popular Releases

Lightning McQueen Drive

Afterglow GP Yellow

Jordan 2 J.Built

adidas Sambal

Jordan 1 Yellow Toe

Converse Chuck Taylor

Apparel

Supreme

Exosuits

Chemo Hours

Wine

Nike Tech Fleece

Yeezy GAP

Nike

Nike Dunk

Nike Shox

Nike Air Force 1

Women's Air Force 1s

Women's Nike Dunk

Women's Nike Shox

Self

Setting Guide

Refund/Return Tools

Scout

Drawings

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StockX

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Sell

The Current Culture Marketplace


Our mission is to provide access to the world's most coveted items in the smartest way possible. Buy and sell the hottest sneakers, apparel, electronics, collectibles, trading cards and accessories.



Authentication+++++


Buyers+++++

Sellers+++++




100% Verified Authentic

Every item sold goes through our proprietary



Transparent Pricing

Our real-time marketplace works just like the



Global Access

Whether it's pre-release, regionally limited, or

24

multi-step verification process with our team of expert authenticators. [Learn More](#) +++++

stock market – allowing you to buy and sell the most coveted items at their true market price.

"sold out" – our millions of customers from over 200 countries have easily secured those hard-to-find, coveted items.



No BS

No chargebacks, no taking photos, no writing catchy descriptions, and no dealing with rogue buyers or sellers. We handle everything to make sure you can buy and sell with complete confidence.



Secure

Preserving the integrity of our marketplace means staying a step ahead. Our security and fraud systems, powered by our world class partners, have your personal information covered 24/7.

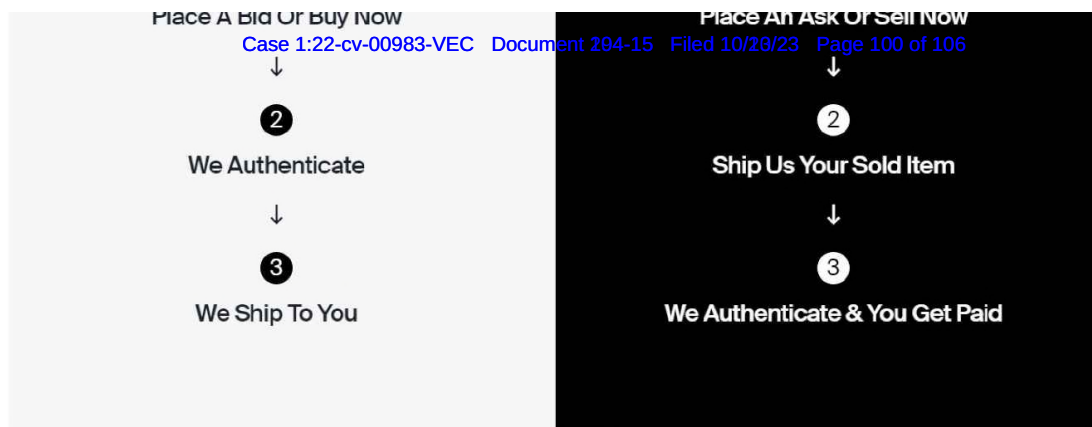


Here For You

Thanks to our [Help Center](#), Chatbot, and dedicated global-support staff, you can be sure that we are always available to answer any and every question regarding our marketplace.

Auth0 riskified Braintree





The Power's In Your Hands

Buying On StockX

We don't determine the price, you do. As a live marketplace, StockX empowers you to Bid and Buy at real-time prices that reflect the current demand.

[Learn More About Buying](#) + + + + +

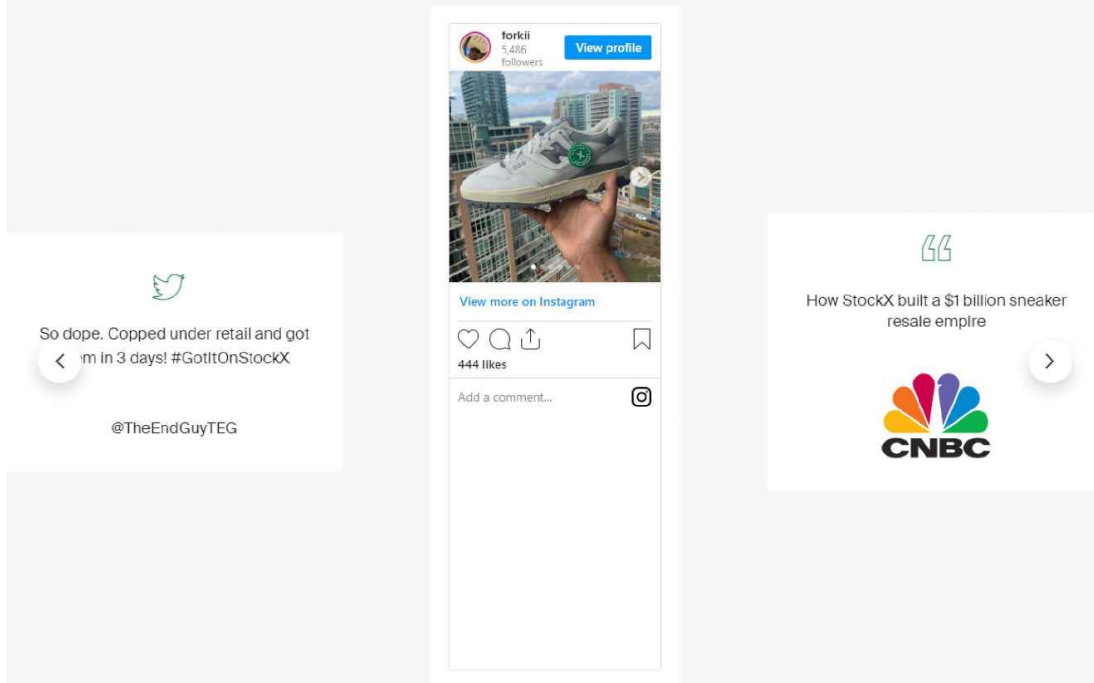


Selling on StockX

Whether you're looking to make quick cash or start a reselling business, we have the tools to help you succeed.

[Learn More About Selling](#) + + + + +

What People Have to Say About StockX



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FAQs

How do I buy on StockX?

There are two ways to buy on StockX: placing a bid or Buying Now. A Bid signals your...

[→](#)

How do I sell on StockX?

There are two ways to sell on StockX: placing an Ask or Selling Now. An Ask signals your...

[→](#)

When can I expect to receive my item?

StockX strives to complete all orders within 7-12 business days, (that doesn't include...

[→](#)

How do I pay for an item on StockX?

Buyers can pay with all major credit cards, PayPal, Apple Pay, Google Pay, Venmo, Alipay,...

[→](#)

Can I cancel my Bid?

Once a sale has occurred, your Ask or Bid cannot be cancelled. This policy is in place to...


[→](#)

How do I contact customer service and when can I expect to hear back?


While most of your questions can be answered in our Help Center, we do have a team...

[→](#)


SHOP




Sneakers




Apparel




Electronics




Collectibles



Accessories



Trading Cards









NFTs


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StockX. Access the Now.

Air Jordan Air Jordan 1 Jordan Golf Shoes Air Jordan 3 Air Jordan 11 Air Jordan 4 Jordan 1 Mid	Yeezy Yeezy Boost 350 Yeezy Boost 350 V2 Yeezy Boost 700 Yeezy 500 Yeezy Slides Yeezy Foam RNNR	Recent Updates The Drop List Apple AirPods Jordan 11 Cool Grey: By The Numbers Xbox Series X PS5 Yeezy GAP Hoodies	Popular Releases Nike Dunk Low Georgetown Nike Air Max 1 Patta Nike Dunk Low Next Nature Jordan 4 Red Thunder Jordan 11 Cool Grey Jordan 1 Bred Patent	Streetwear Chrome Hearts Essentials Yeezy GAP Palm Angels Ivy Park Eric Emanuel	Supreme T-Shirts Accessories Supreme The North Face Bottoms Hoodies Supreme Nike
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Guaranteed Authenticity.

Every item. Every time. Shop on StockX with complete confidence knowing every purchase is 100% Verified Authentic.



Trust The Process

Our global team of expert authenticators uses a rigorous, multi-step verification procedure that includes the following checkpoints:



Condition

We only allow deadstock on our marketplace. That means every item bought or sold must be brand new and never worn.



Construction

With checklists of 100+ data points, our authenticators are better equipped than anyone to ensure a product's authenticity.



Our experience in retail data points, our investments in retail equipment, and our ability to ensure a positive customer

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Packaging

Equally important as the product itself, our team ensures packaging meets the highest quality standards to deliver a brand new product.



Quality Assurance

A first check is our authentication process, our QA experts examine every shoe through the process



A final check in our authentication practice, our QA experts ensure nothing slips through the cracks.

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Advanced Technology

We use machine learning to aid our authenticators in catching every minor detail.



Accessories

From the full list of accessories to all the additional add-ons, rest assured that your purchase on StockX will match any retail purchase experience.



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In a community filled with inauthentic items, I have the opportunity to protect our customers and their hard earned money.

Siebe
Authenticator, Veldhoven



I have the privilege of teaching a new generation of authenticators, to help them succeed, and watch them grow. It's fulfilling to see.

Alex
Authenticator, Tempe



Committed to Quality

Over the years, our team members have authenticated tens of millions of products at a 99.95% accuracy rate.

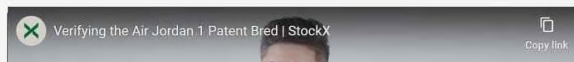
We've compiled data from every fake product in the history of StockX to build a comprehensive database of fake techniques around the world. Our database is updated daily and constantly serves to keep our team educated and up to date.



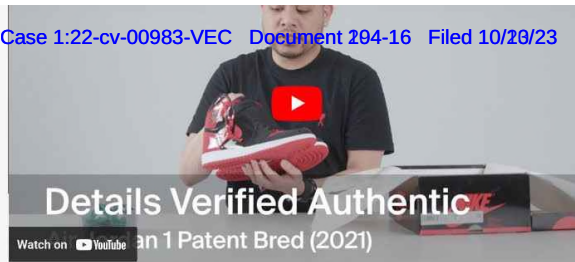


Behind The Scenes

Our authenticators share a deep love and knowledge for the products and culture around our marketplace.



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FAQs

How does StockX define Deadstock?

StockX defines "Deadstock" as an authentic, new, unworn pair of sneakers. They are...



How does the Verification process work?

Once a product arrives to StockX from the seller, our dedicated verification team begins...



How does StockX define brand new streetwear?

StockX defines streetwear as brand new if it is unworn and in flawless condition...



Are returns or exchanges allowed?

Due to the anonymous nature of our live market, we are unable to offer return, exchanges...



How are the StockX buyer processing fees, import duties, and sales tax calculated?

Buyer processing fees, import duties, and sales tax are calculated based on your shipping...




What are the shipping instructions?

What are the shipping instructions?

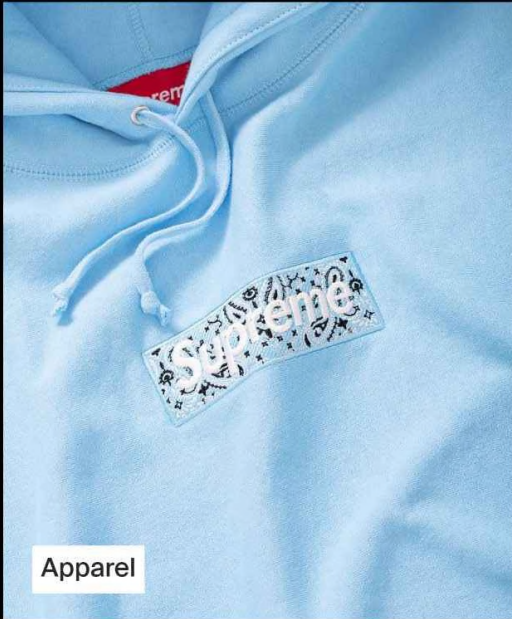
1. Go to My Account > Selling > Pending. Here you will be able to access and print your...

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SHOP




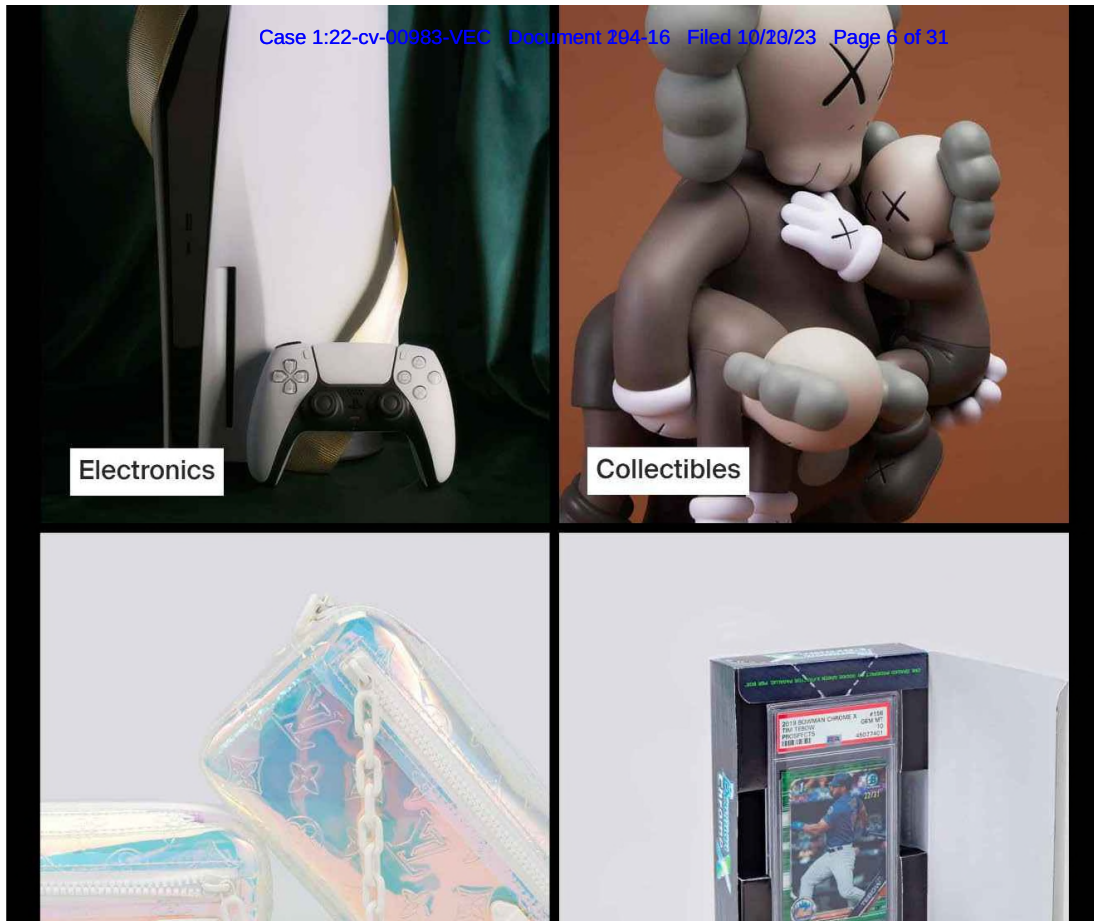
Sneakers




Apparel










Accessories



Trading Cards

StockX. Access the Now.

Air Jordan

- Air Jordan 1
- Jordan Golf Shoes
- Air Jordan 3
- Air Jordan 11
- Air Jordan 4
- Jordan 1 Mid

Yeezy

- Yeezy Boost 350
- Yeezy Boost 350 V2
- Yeezy Boost 700
- Yeezy 500
- Yeezy Slides
- Yeezy Foam RNNR

Recent Updates

- The Drop List
- Apple Airpods
- Jordan 11 Cool Grey: By The Numbers
- Xbox Series X
- PS5
- Yeezy GAP Hoodies

Popular Releases

- Nike Dunk Low Georgetown
- Nike Air Max 1 Patta
- Nike Dunk Low Next Nature
- Jordan 4 Red Thunder
- Jordan 11 Cool Grey
- Jordan 1 Bred Patent

Streetwear

- Chrome Hearts
- Essentials
- Yeezy GAP
- Palm Angels
- Ivy Park
- Eric Emanuel

Supreme

- T-Shirts
- Accessories
- Supreme The North Face
- Bottoms
- Hoodies
- Supreme Nike

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Sneakers

On StockX, every sneaker you want is always available and authentic. Buy and sell new sneakers & shoes from Air Jordan, adidas, Nike, Yeezy and more!

APPAREL

ELECTRONICS

TRADING CARDS

COLLECTIBLES

ACCESSORIES

TRENDING DEALS

BELOW RETAIL

ADIDAS

AIR JORDAN

CONVERSE

NEW BALANCE

NIKE

PUMA

REEBOK

VANS

YEEZY

LUXURY BRANDS

OTHER BRANDS

COLLECTIONS

SIZE TYPES

☐ Men

☐ Women

☐ Child

☐ Preschool

☐ Infant

☐ Toddler

SIZES

1	1.5	2	2.5
3	3.5	4	4.5
5	5.5	6	6.5
7	7.5	8	8.5

Jordan 1 Retro High OG Washed Pink (Women's)
Lowest Ask
\$166

Nike Ja 1 Day One
Lowest Ask
\$144

Jordan 4 Retro Thunder (2023)
Lowest Ask
\$248

Nike SB Dunk Low Run The Jewels
Lowest Ask
\$155

Jordan 1 Retro Low OG SP Travis Scott Olive (Women's)
Lowest Ask
\$450

Jordan 3 Retro Wizards
Lowest Ask
\$180

Nike Dunk Low Retro White Black Panda (2023)
Lowest Ask
\$105

Nike Dunk Low Retro White Black Panda (2023) (Women's)
Lowest Ask
\$107

Nike Dunk Low Retro White Black Panda (2021) GS
Lowest Ask
\$88

Nike Air Force 1 Low '13' White
Lowest Ask
\$84

Nike Dunk Low Industrial Blue Sail-Ro
Lowest Ask
\$100

Nike Dunk Low Grey Frog
Lowest Ask
\$127

Jordan 13 Retro Black Flint
Lowest Ask
\$175

Nike Dunk Low Photon Dust (Women's)
Lowest Ask
\$108

Nike Dunk Low Light Orewood Brown Sashiko
Lowest Ask
\$106

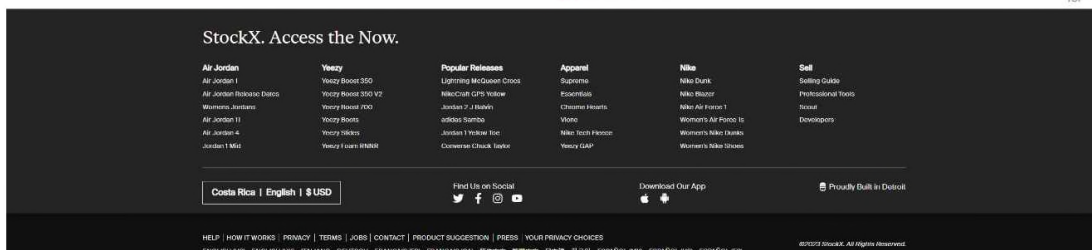
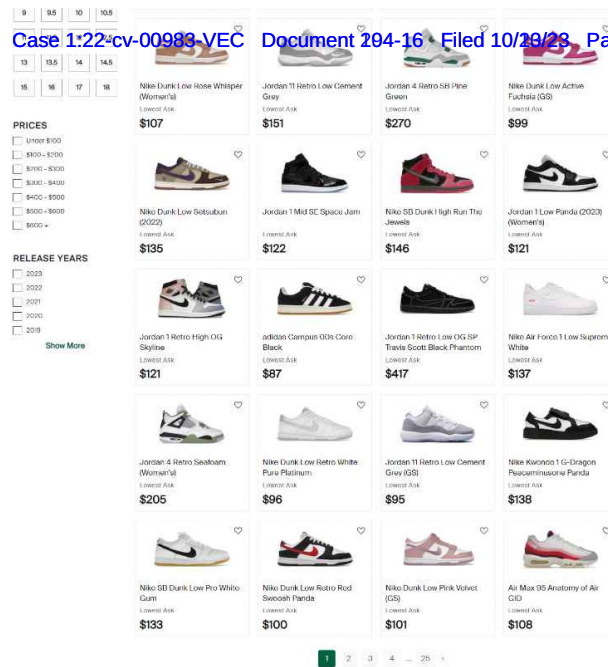
Jordan 3 Retro White Cement Reimagined
Lowest Ask
\$161

Jordan 1 Retro High OG Lucky Green
Lowest Ask
\$160

adidas Samba OG Cloud White Core Black
Lowest Ask
\$82

Jordan 1 Retro High OG Chicago Lost and Found
Lowest Ask
\$226

New Balance 550 White Green
Lowest Ask
\$92



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StockX

Q Search for brand, color, etc.

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[Home](#) / [Sneakers](#) / [Nike](#) / [Dunk](#) / [Low](#) / [Nike Dunk Low Retro White Black \(2021\)](#)

Nike Dunk Low

Retro White Black (2021)

100% Authentic Condition: New



Size: All


Buy For \$265 Place Bid

Sell This Item for \$361


Last Sale:
\$310
▲ \$36 (13%)

[View Asks](#) [View Bids](#) [View Sales](#)


Related Products




Nike Dunk Low Retro White Black (GS)
Lowest Ask
\$200




Nike Dunk Low Retro White Black (TD)
Lowest Ask
\$88




Nike Dunk Low Retro White Black (PS)
Lowest Ask
\$88



Nike Dunk Low White Black (2021) (W)
Lowest Ask
\$234



Nike Dunk High Black White (2021)
Lowest Ask
\$199



Last Sale: \$202

Last Sale: \$94

Last Sale: \$162

Last Sale: \$243

Last Sale: \$210

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Product Details

Style DD1391-100
 Colorway WHITE/BLACK
 Retail Price \$110
 Release Date 3/9/2021

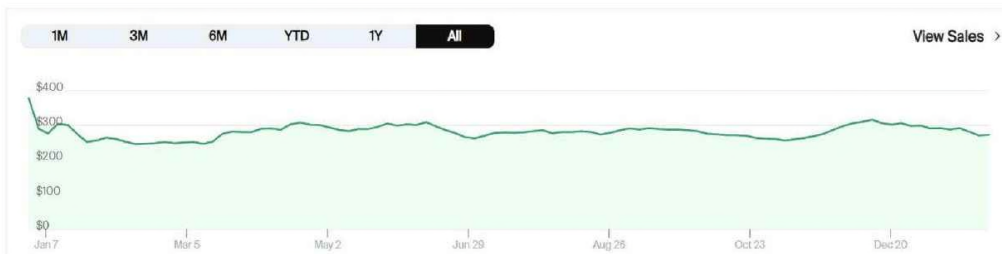
Product Description

From the school-spirited College Colors Program to the vibrant Nike CO.JP collection, Nike Dunks have seen many colorways since the design's inception in 1985. But with each new colorway, the Dunk's classic color-blocking has remained in some capacity. Nike put its timeless color-blocking to work with the Nike Dunk Low Retro White Black.

The upper Nike Dunk Low Retro White Black is constructed of white leather with black leather overlays and Swooshes. Classic Nike branding is featured on the nylon tongue, nodding to traditional Dunk design elements. A white midsole and black outsole completes the design.

The Nike Dunk Low Retro White Black released in January of 2021 and retailed for \$100.

[Read Less](#)

Price History**12-Month Historical**

\$295 - \$325

5%

12-Month Trade Range	All-Time Trade Range	Volatility
96,399 Number of Sales	182% Price Premium	\$280 Average Sale Price

StockX. Access the Now.

Air Jordan
Air Jordan 1
Jordan Golf Shoes
Air Jordan 3
Air Jordan 11
Air Jordan 4
Jordan 1 Mid

Yeezy
Yeezy Boost 350
Yeezy Boost 350 V2
Yeezy Boost 700
Yeezy 500
Yeezy Slides
Yeezy Foam RNNR

Recent Updates
Best Sneakers Releasing
Yeezy 700 Buyer's Guide
Finalmouse
Xbox Series X
PS5
Moncler Buyer's Guide

Popular Releases
Yeezy 700 MNVN Resin
Jordan 6 Low CNY
Jordan 11 Cool Grey
Nike Air Force 1 Low White
Jordan 1 Bred Patent
Jordan 4 Red Thunder

Streetwear
Chrome Hearts
Essentials
Yeezy GAP
Palm Angels
Ivy Park
New Era

Supreme
Supreme Box Logo
T-Shirts
Accessories
Supreme The North Face
Bottoms
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Were you able to see the webpages clearly?

- ☐ No
- ☐ Yes
- ☐ Don't know / unsure

>

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Please click on a webpage to review it fully. When you are finished reviewing the webpage, click anywhere on the screen to exit.

Based on the information you reviewed, and using the scale below, how likely would you be to use this website to purchase a pair of sneakers?

Extremely likely			Neither likely nor unlikely			Extremely unlikely
7	6	5	4	3	2	1
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

☐ Don't know / unsure



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